

PD 1373

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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

February 5, 2018

Tyler Manic
Schain Banks Kenny & Schwartz
70 W. Madison Street
Suite 5300
Chicago, IL 60602

**Re: Administrative Relief request for Planned Development No. 1373
2835-2847 W. Belden Avenue**

Dear Mr. Manic:

Please be advised that your request for a minor change to Residential Planned Development No. 1373 ("PD 1373"), has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 13 of PD 1373.

Your client and the owner of all of the property within PD 1373, INDC West Belden LLC, is seeking administrative relief to allow for the following modifications to the proposed building at 2835-2847 W. Belden Ave.:

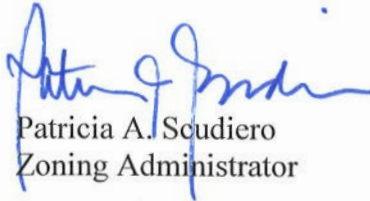
- Reduce the min. no. of parking spaces from 30 to 28 as a result of increasing the west side setback by one foot at the request of Ald. Moreno to accommodate the neighbor to the west. A revised Site/Landscape Plan and Ground Floor Plan are attached.
- The North, South, East and West Elevations have been revised with the addition of a small elevator overrun atop the penthouse roof and the addition of louvers on the south façade (alley) windows. The height of the penthouse roof has been reduced from 80 feet to 77 feet. The overrun will be located atop the center of the penthouse roof and setback so that it will not be visible from Belden Ave.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed 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, 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 Residential Planned Development No. 1373; 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,

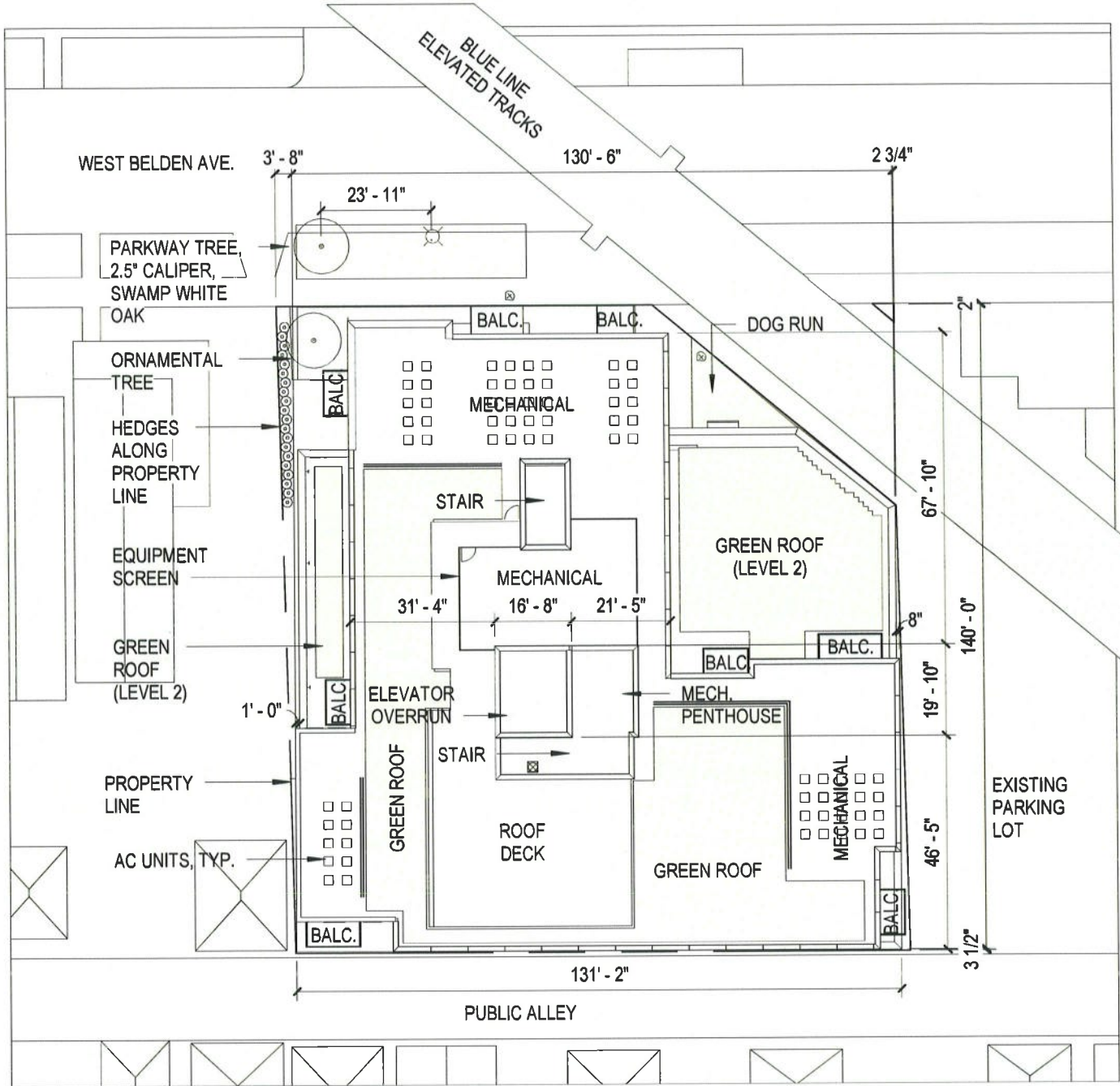


Patricia A. Scudiero
Zoning Administrator

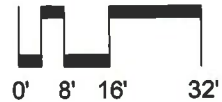
PAS:PM:tm

C: Mike Marmo, Erik Glass, Dan Kaliber, Main file

Generalized Site / Landscape Plan



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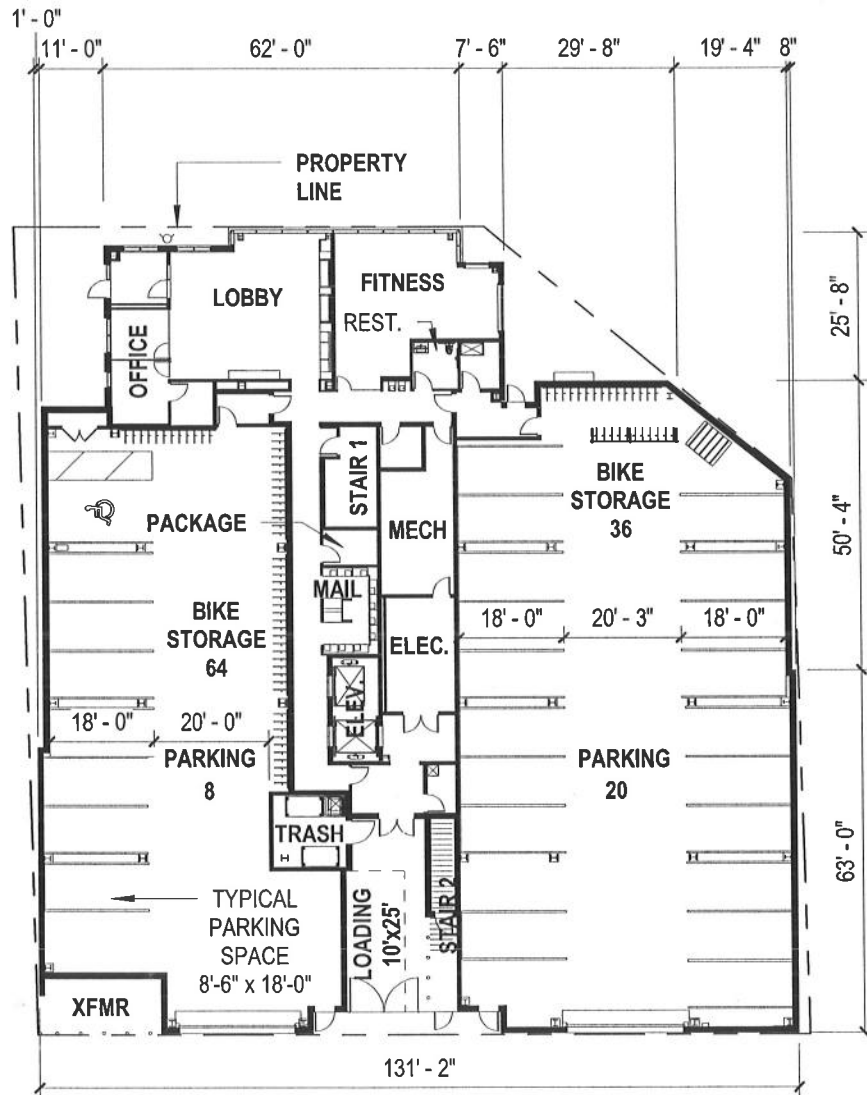


Applicant: INDC West Belden, LLC
 Address: 2845 W Belden Avenue

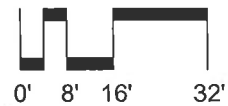


Intro Date: September 24, 2015
 CPC Date: June 15, 2017
 Revised: January 12, 2018

Ground Floor Plan



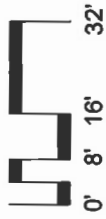
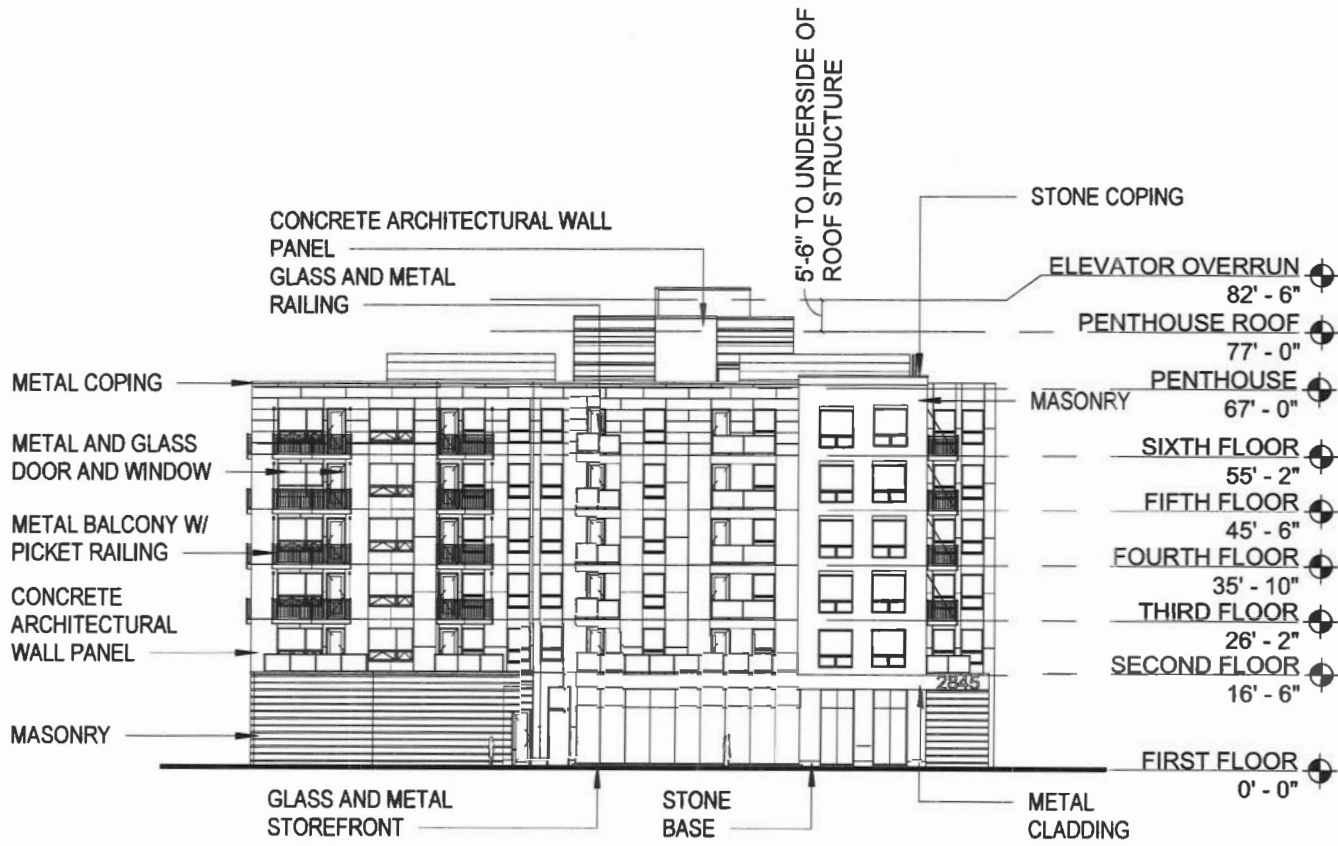
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Applicant: INDC West Belden, LLC
 Address: 2845 W Belden Avenue

Intro Date: September 24, 2015
 CPC Date: June 15, 2017
 Revised: January 24, 2018

North Elevation



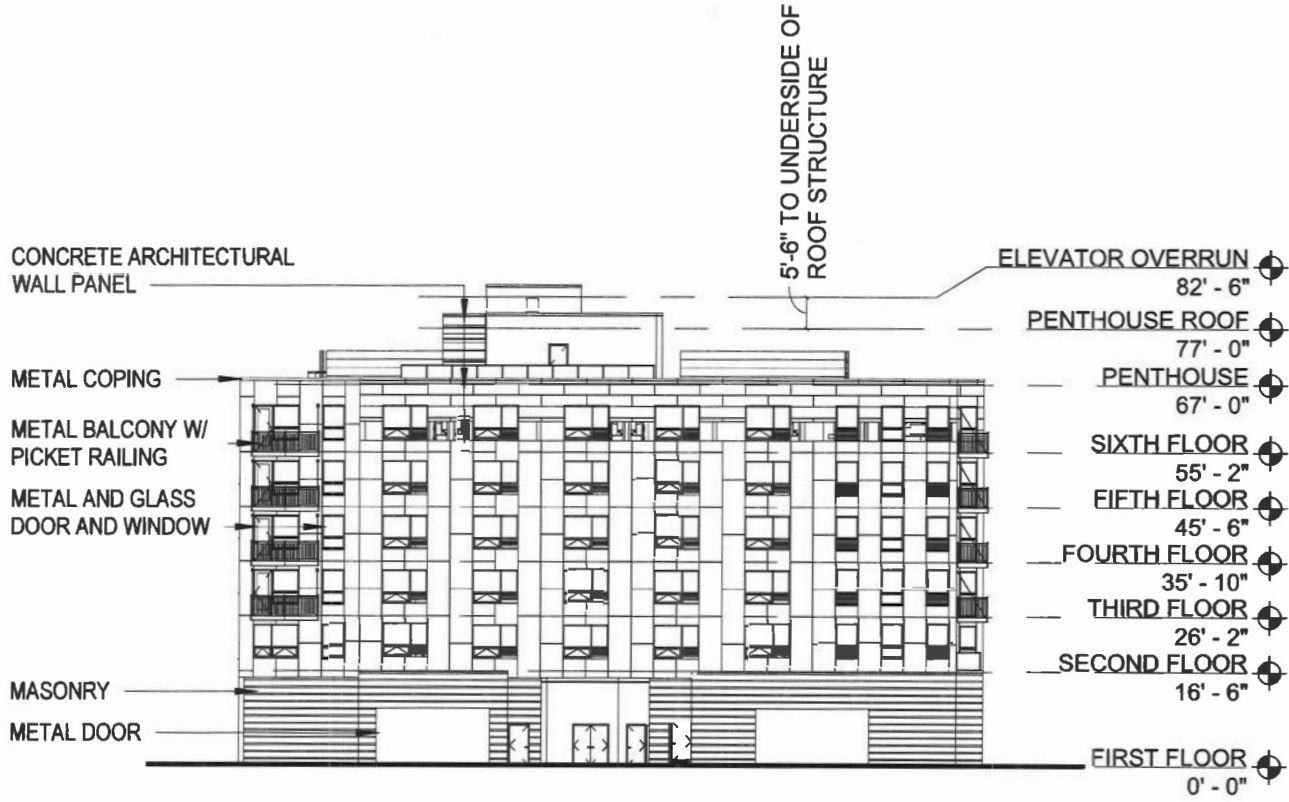
Applicant: INDIC West Belden, LLC
 Address: 2845 W Belden Avenue

EXHIBIT

3

Intro Date: September 24, 2015
 CPC Date: June 15, 2017
 Revised: January 12, 2018

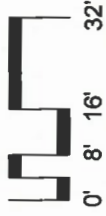
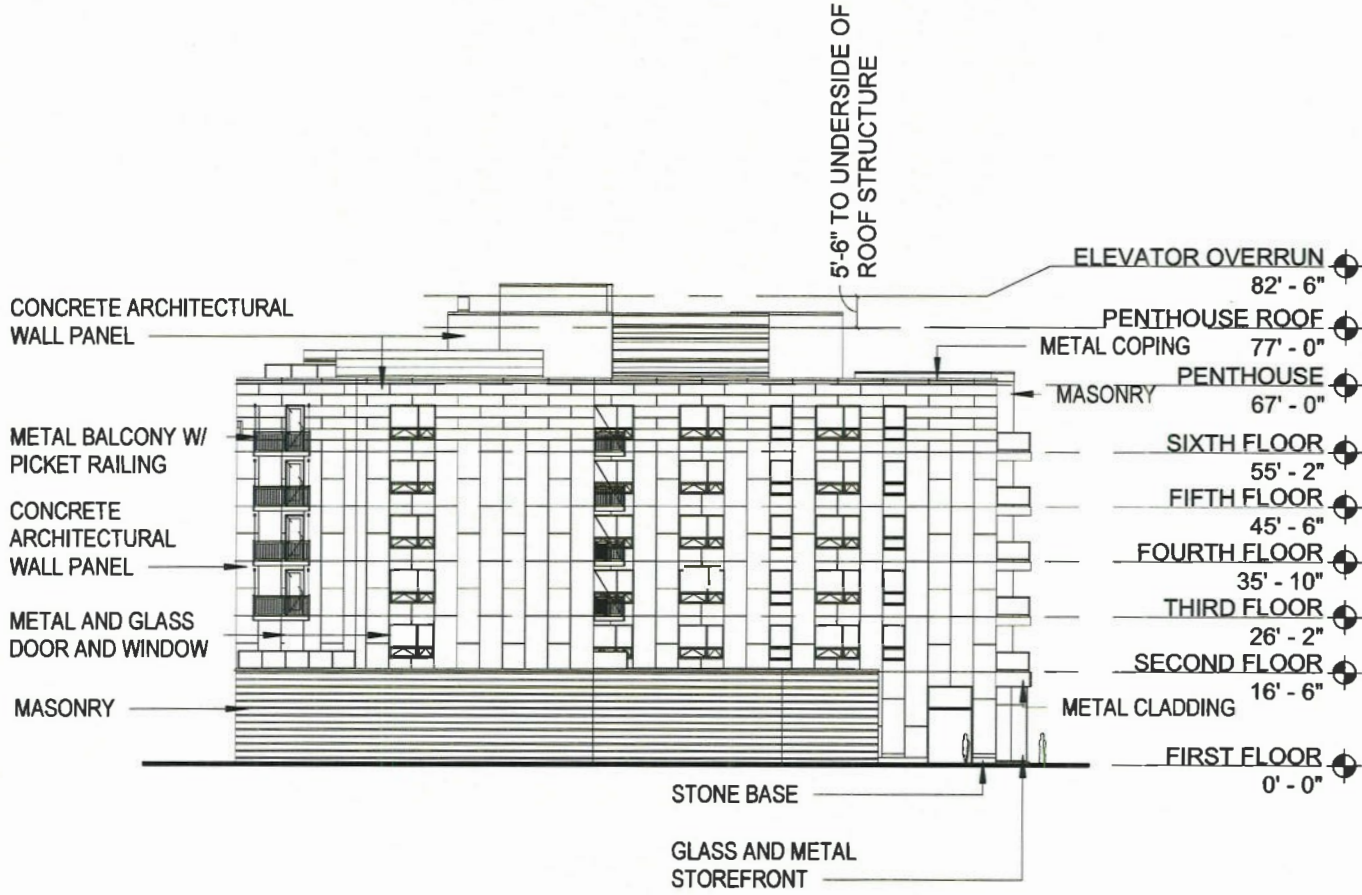
South Elevation



Applicant: INDIC West Belden, LLC
 Address: 2845 W Belden Avenue

Intro Date: September 24, 2015
 CPC Date: June 15, 2017
 Revised: January 12, 2018

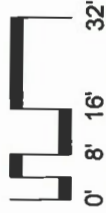
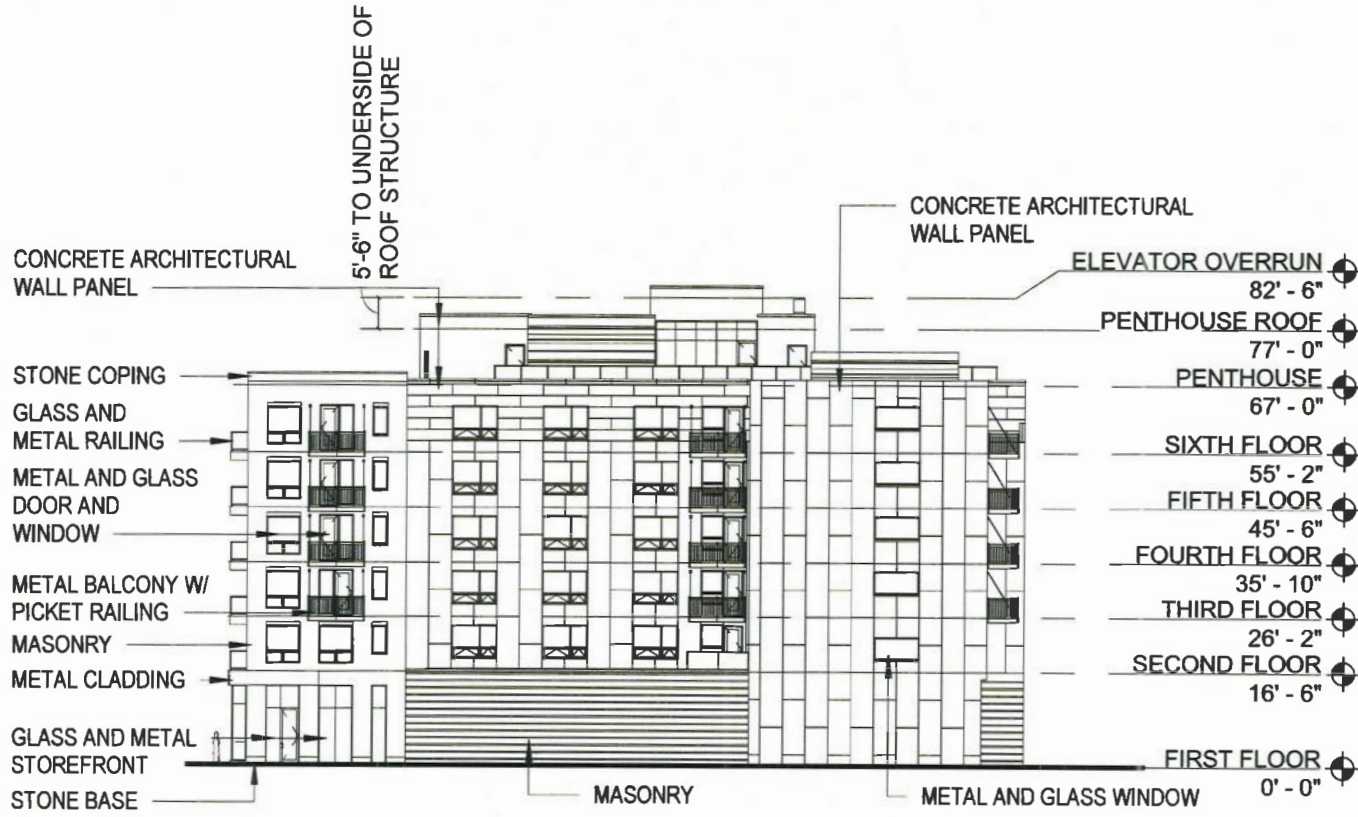
East Elevation



Applicant: INDC West Belden, LLC
 Address: 2845 W Belden Avenue

Intro Date: September 24, 2015
 CPC Date: June 15, 2017
 Revised: January 12, 2018

West Elevation



Applicant: INDIC West Belden, LLC
 Address: 2845 W Belden Avenue

Intro Date: September 24, 2015
 CPC Date: June 15, 2017
 Revised: January 12, 2018

Reclassification Of Area Shown On Map No. 5-1.
 (As Amended)
 Application No. 18506
 (Common Address: 2835 -- 2847 W. Belden Ave.)

RPD 1373

[SO2015-6396]

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 C1-2 Neighborhood Commercial District symbols and indications as shown on Map Number 5-1 in the area bounded by:

West Belden Avenue; the southwesterly line of the Chicago Transit Authority right-of-way; a line 204.35 feet east of the southwesterly line of North Milwaukee Avenue, as measured along the south line of West Belden Avenue; the public alley next south of West Belden Avenue; and a line 337.67 feet east of the southwesterly line of North Milwaukee Avenue as measured along the south line of West Belden Avenue,

to those of a B2-3 Neighborhood Mixed-Use District which is hereby established in the area described above.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the B2-3 Neighborhood Mixed-Use District symbols and indications as shown on Map Number 5-1 in the area bounded by:

West Belden Avenue; the southwesterly line of the Chicago Transit Authority right-of-way; a line 204.35 feet east of the southwesterly line of North Milwaukee Avenue, as measured along the south line of West Belden Avenue; the public alley next south of West Belden Avenue; and a line 337.67 feet east of the southwesterly line of North Milwaukee Avenue as measured along the south line of West Belden Avenue,

to those of a Residential Planned Development which is hereby established in the area described above.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

Plan of Development Statements attached to this ordinance read as follows:

Residential Planned Development Statements.

1. The area delineated herein as Planned Development Number 1373 ("Planned Development") consists of approximately 17,604 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, Barry Sidel. At the time of

implementation of this Planned Development, the site has been zoned B2-3 and is located within approximately 660 feet of an entrance to the CTA Blue Line's California Station. The project is therefore eligible for an MLA Reduction for Transit-Served Locations (per Section 17-3-0402-B) and additional FAR Increase for On-Site Affordable Housing Units in Transit-Served Locations (per Section 17-3-0403-B/C) as the project will not contain more than one parking space per dwelling unit and 100 percent of the required affordable housing units ("ARO units", pursuant to Section 2-45-115) will be located on-site. In addition, the project is eligible for a Building Height Increase for Transit-Served Locations (per Section 17-3-0408) and an exemption regarding the limitation on efficiency units (per Section 17-3-0410-B2).

2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assign or grantees. Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the plans.

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

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

4. This plan of development consists of sixteen (16) Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Site/Landscape Plan; and Building Elevations (North, South, East and West) submitted herein. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the

terms of this Planned Development ordinance and the Zoning Ordinance, this Planned Development ordinance shall control.

5. The following uses are permitted in the area delineated herein as a Residential Planned Development: residential dwelling units located above and on the ground floor; accessory parking; wireless communications facilities; and accessory uses.
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 Planning and Development. Off-premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted floor area ratio identified in the Bulk Regulations Table has been determined using a net site area of 17,604 square feet and an FAR of 4.0.
9. The Applicant acknowledges and agrees that the rezoning of the Property from B2-3 to this Planned Development, triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10 percent of the housing units in the residential housing project (the "Required Units") as affordable units, or provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of the Required Units; or (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25 percent of the Required Units on-site if in higher income or downtown or, with the Commissioner's approval, off-site if in higher income or downtown. If the developer elects to provide affordable units off-site, the off-site affordable units must be located within a two-mile radius from the residential housing project and in an equal or higher income area or downtown district. In addition to this rezoning, the project received a floor area ratio ("FAR") increase under Section 17-3-0403-C of the Municipal Code (additional far increase for on-site Affordable Housing Units in Transit-Served Locations), which requires that all affordable units be required on-site in accordance with the transit-served location regulations set forth in Section 17-3-0403-C. The Property is located in a higher income area within the meaning of the ARO, and has a total of 100 units. As a result, the Applicant's affordable housing obligation is 10 affordable units (10 percent of 100). The Applicant has agreed to satisfy its affordable housing obligation providing 10 affordable units in the rental building to be constructed in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit A. The Applicant agrees that the affordable rental units must be affordable to households earning no more than 60 percent of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development, the Applicant shall update and resubmit the Affordable

Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required affordable units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must record an affordable housing agreement in accordance with Section 2-45-115(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 9, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

10. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II Approval.
11. 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 Planning and Development. Any interim reviews associated with site plan review or Part II Reviews, are conditional until final Part II Approval.
12. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
13. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors.
14. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
15. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources.

The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II Review process is initiated, for each improvement that is subject to the aforementioned policy and must provide documentation verifying compliance.

- 16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Housing and Economic Development shall initiate a zoning map amendment to rezone the Property to a B2-3 Neighborhood Mixed-Use District.

[Existing Land-Use Area Map; Existing Zoning and Street System Map; Boundary Map; Generalized Site/Landscape Plan; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 52129 through 52139 of this *Journal*.]

Bulk Regulations and Data Table and Exhibit A (2015 Affordable Housing Profile Form (AHP)) referred to in these Plan of Development Statements read as follows:

Residential-Business Planned Development.

Plan Of Development.

Bulk Regulations And Data Table.

Gross Site Area = Net Site Area + Area remaining in the public right-of-way
 21,366.00 square feet (0.49 acre) = 17,604 (0.40 acre) + 3,762.00 square feet (0.09 acre)

FAR:	4.00
Setbacks from Property Line:	In substantial conformance with the Site Plan and Elevations
Maximum Number of Dwelling Units:	100
Minimum Number of Accessory Off-Street Parking:	30
Minimum Number of Bicycle Parking Spaces:	100
Minimum Number of Off-Street Loading:	One berth, 10 feet by 25 feet
Maximum Building Height:	80 feet

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Exhibit A

2015 Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 ARO (all projects submitted to City Council after October 13, 2015). More information is online at www.cityofchicago.org/ARO.

This completed form should be returned to: Kara Breems, Department of Planning & Development (DPD), 121 N. LaSalle Street, Chicago, IL 60602. E-mail: kara.breems@cityofchicago.org

Date:

DEVELOPMENT INFORMATION

Development Name: 2835 W. Belden
 Development Address: 2835-47 W. Belden Avenue
 Zoning Application Number, if applicable: Ward: 1st
 If you are working with a Planner at the City, what is his/her name?

Type of City Involvement City Land Planned Development (PD)
check all that apply Financial Assistance Transit Served Location (TSL) project
 Zoning Increase

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received

- ARO Web Form completed and attached - or submitted online on
- ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (*Excel*)
- If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (*pdf*)
- If ARO units proposed are off-site, required attachments are included (see next page)
- If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached (*pdf*)

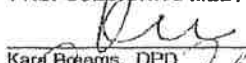

DEVELOPER INFORMATION

Developer Name Sidel & Ordower
 Developer Contact Mark Ordower
 Developer Address 333 S. Desplaines #207, Chicago
 Email mark@ogdenpartners.com Developer Phone 312-441-0620
 Attorney Name Michael Ezgur Attorney Phone 312-327-3350

TIMING

Estimated date marketing will begin June 2019
 Estimated date of building permit* January 2018
 Estimated date ARO units will be complete October 2019
 *note that the in-lieu fee and recorded covenant are required prior to the issuance of any building permits, including the foundation permit

PROPOSED UNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)


 Kara Breems, DPD Date 6/8/17

 Developer/Project Manager Date 6-7-17

ARO Web Form

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Address Number From :2835 Address Number To: 2847 Street Direction: W
Street :Belden Ave. Postal Code: 60647

Development Name, If applicable

2835 W. Belden

Information

Ward :1 ARO Zone: Higher Income

Details

Type of city involvement :Zoning change and planned development

Total Number of units in development: 100

Type of development: Rent

Is this a Translt Served Location Project : Y100

Requirements

Required affordable units :10 Required *On-site aff. Units: 10

How do you intend to meet your required obligation

On-Site: 10 Off-Site: 0

On-Site to CHA or Authorized agency: 0 Off-Site to CHA or Authorized agency: 0

Total Units Committed: 10 Remaining In-Lieu Fee Owed: 0

Summary: 2835 W Belden

	market rate			affordable		
	how many?	% of total	avg. square footage	how many?	% of total	avg. square footage
studio	58	64%	494	7	70%	491
one-bed	32	36%	654	3	30%	605

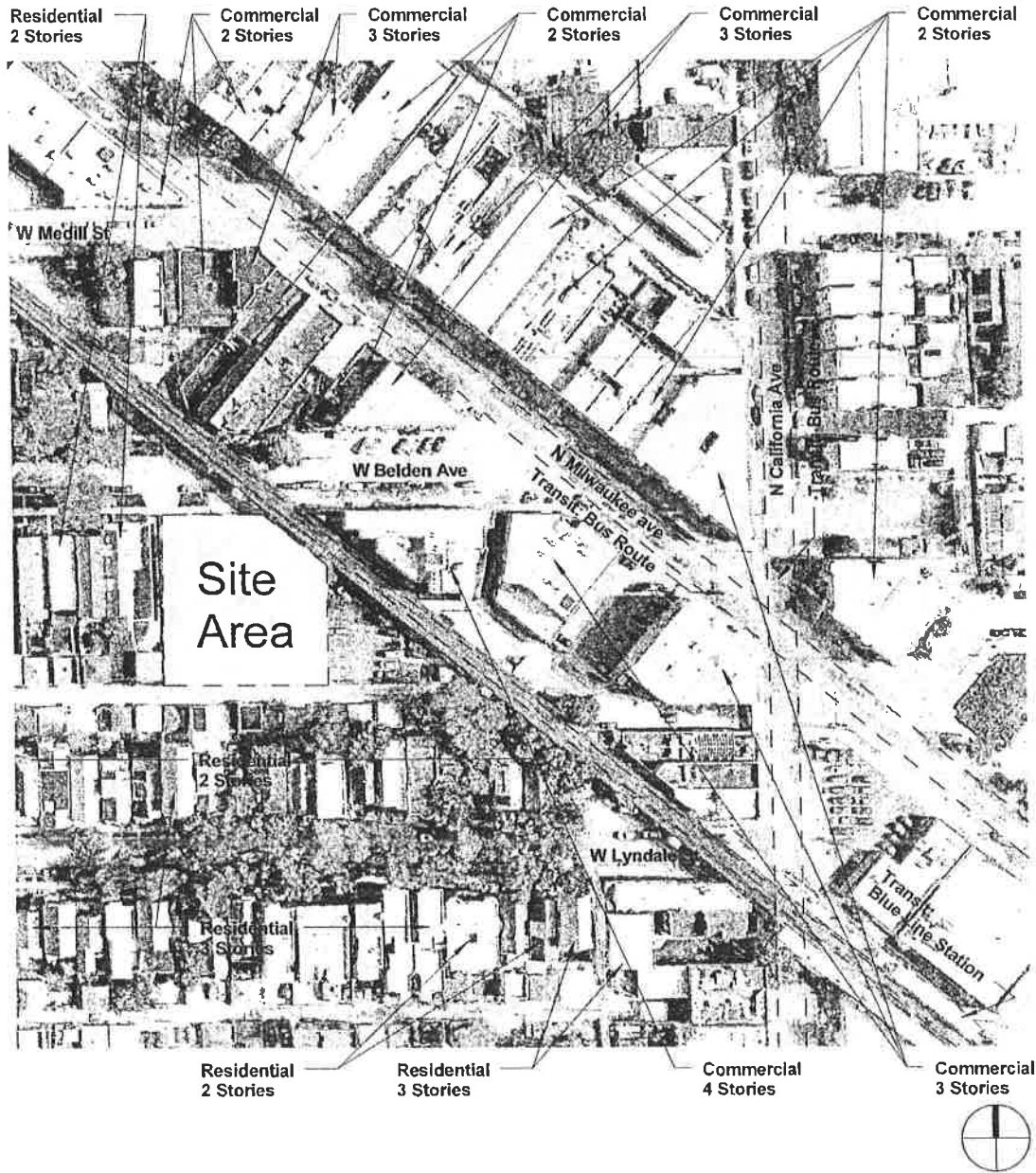
All projects with proposed ARO units must complete this tab

	Market Rate Units	Affordable Units
Parking	Garage Space for Rent	Garage Space for Rent
Laundry	W/D in unit	W/D in unit
Appliances	New	New
Refrigerator <i>age/EnergyStar/make/model/color</i>	NEW/EnergyStar/GE/18.2 cu.ft Freezer/Refrig/Stainless	NEW/EnergyStar/GE/18.2 cu.ft Freezer/Refrig/Stainless
Dishwasher <i>age/EnergyStar/make/model/color</i>	NEW/EnergyStar/GE/24x34-1/2. Stainless	NEW/EnergyStar/GE/24x34-1/2. Stainless
Stove/Oven <i>age/EnergyStar/make/model/color</i>	NEW/GE 30" Slide in/Stainless	NEW/GE 30" Slide in/Stainless
Microwave <i>age/EnergyStar/make/model/color</i>	NEW/GE Profile 2.2 cu.ft/stainless	NEW/GE Profile 2.2 cu.ft/stainless
Bathroom(s) <i>how many?</i> <i>Half bath? Full bath?</i>	One Full	One Full
Kitchen countertops <i>material</i>	Quartz	Quartz
Flooring <i>material</i>	Luxury Vinyl Tile	Luxury Vinyl Tile
HVAC	Individual Split Furnace	Individual Split Furnace
Other		

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Existing Land Use Area Map



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Applicant: Barry Sidel
Address: 2835-47 W Belden Avenue

Intro Date: September 24, 2015
CPC Date: June 15, 2017

Existing Zoning and Street System Map

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Zoning data reflects all ordinances passed
 in the most recent City Council meeting.
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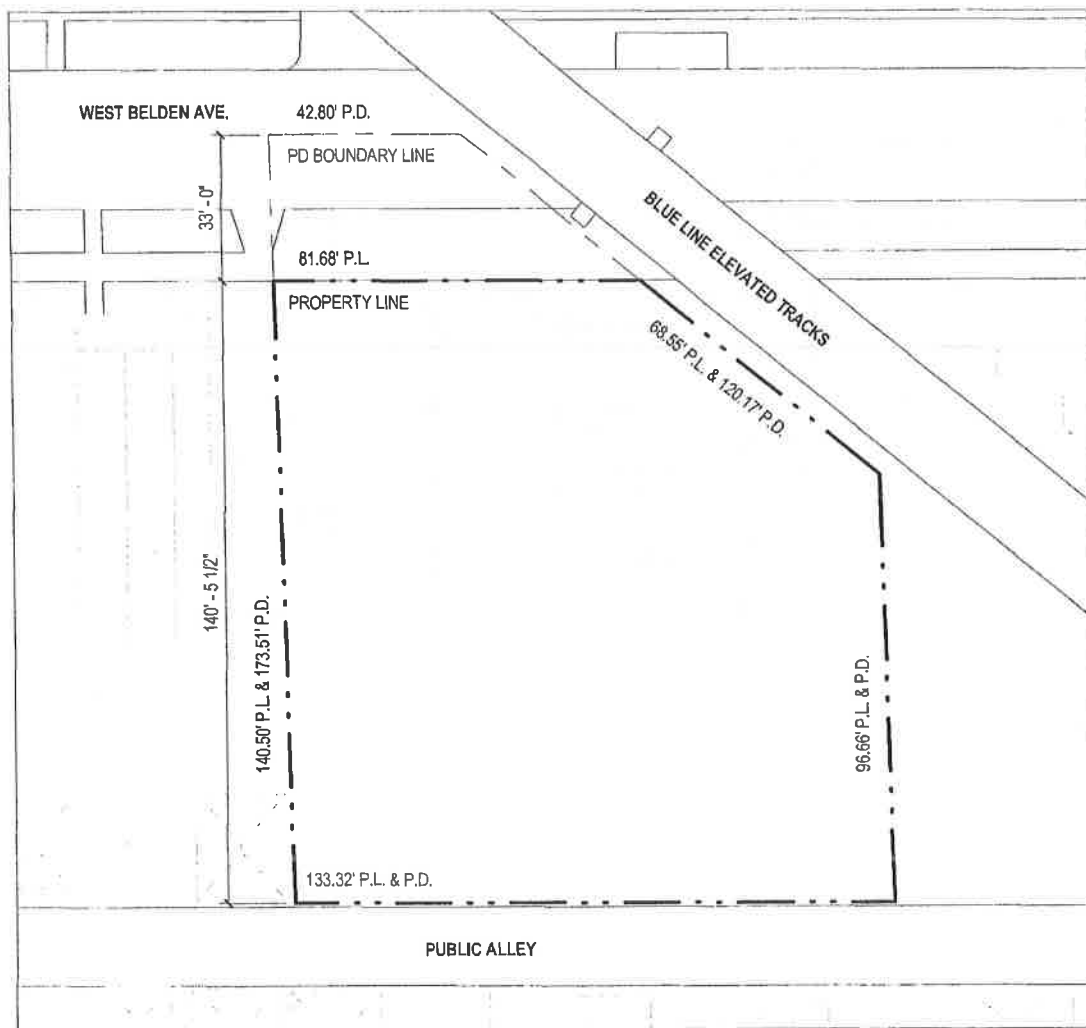
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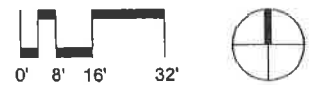


PD Boundary Map

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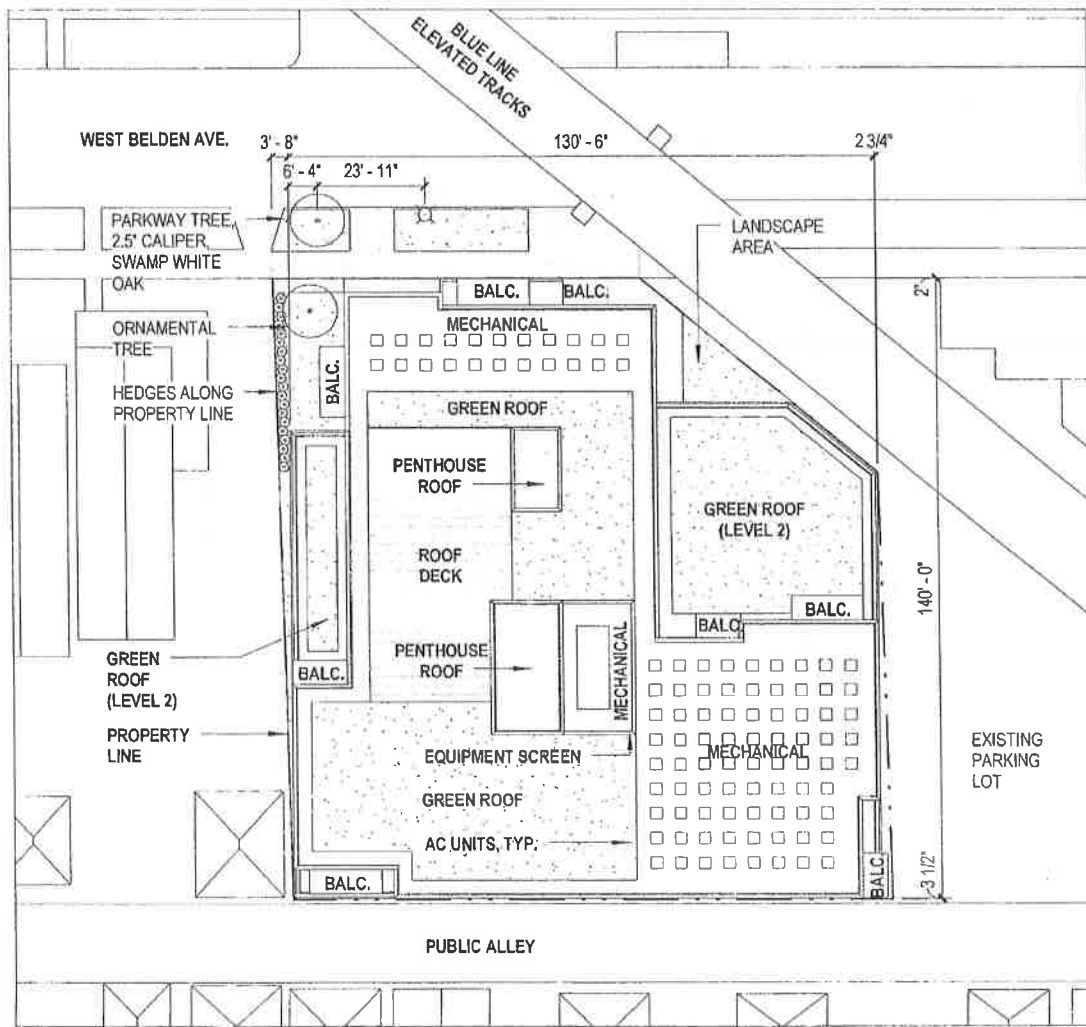


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Generalized Site / Landscape Plan



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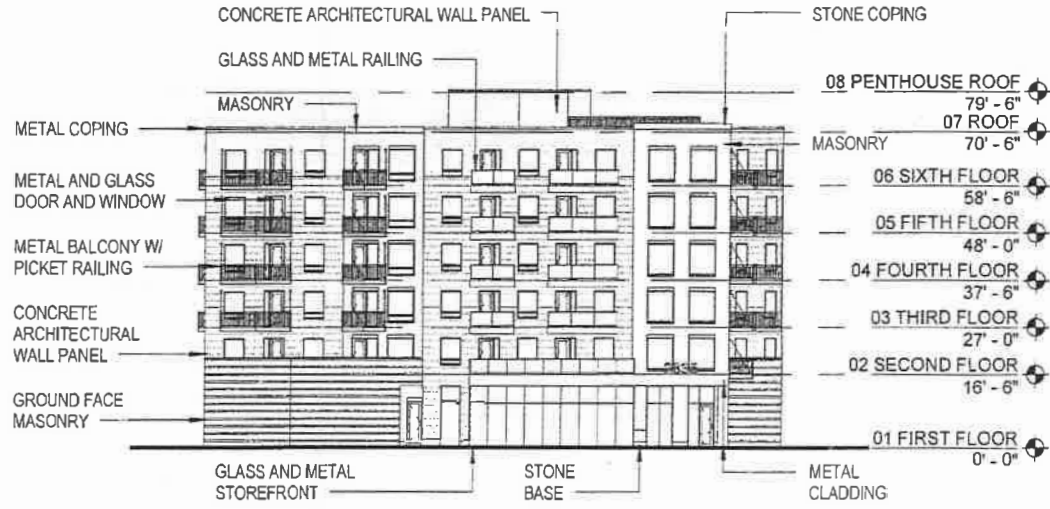


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North Elevation



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Applicant: Barry Sidel
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South Elevation



Applicant: Barry Sidel
Address: 2835-47 W Belden Avenue

Intro Date: September 24, 2015
CPC Date: June 15, 2017

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East Elevation



Intro Date: September 24, 2015
 CPC Date: June 15, 2017

Applicant: Barry Sidel
 Address: 2835-47 W Belden Avenue

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West Elevation

