



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Text

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File #: SO2015-6396, Version: 1

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### SUBSTITUTE ORDINANCE

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 CI-2 Neighborhood Commercial District symbols and indications as shown on Map No. 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 No. 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.

Property Address: 2835-47 West Belden Avenue

*PUBLIC NOTIFICATION*

*FAR % FOR*

**RESIDENTIAL PLANNED DEVELOPMENT STATEMENTS**

1. The area delineated herein as Planned Development Number \_\_\_\_\_, ("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% 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 title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal 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

Applicant: Address:

Introduction Date: Plan Commission Date:

Barry Sidel

2835-47 W. Belden Avenue September 24, 2015 June 15, 2017

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-Premise 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-Premise 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% 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% of the Required Units on-

site if in higher income or downtown or, with the Commissioner's

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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% 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% 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

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Barry Sidel

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## *FOR PUBLICATION*

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 title holders 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.

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Barry Sidel

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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 sq. ft. (0.49  
acres) = 17,604 (0.40 acres) + 3,762.00 sq. ft. (0.09 acres) FAR: 4.00

In substantial conformance with the Site Plan and Elevations

MAXIMUM NUMBER OF DWELLING UNITS:

MINIMUM NUMBER OF ACCESSORY OFF-STREET PARKING:

MINIMUM NUMBER OF BICYCLE PARKING SPACES

MINIMUM NUMBER OF OFF-STREET LOADING:

MAXIMUM BUILDING HEIGHT:

Applicant: Barry Sidel  
Address: 2835-47 W. Belden Avenue  
Introduction Date: September 24, 2015  
Plan Commission Date: June 15, 2017

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### 2015 Affordable Housing Profile Form (AMP)

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.cltvofchicago.com/ARO](http://www.cltvofchicago.com/ARO) <<http://www.cltvofchicago.com/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](mailto: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  [7] 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

*[If 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 <mailto: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

*yj/*

PROPOSED J54 JNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager) Kaca-j^ms,

DPI

*im&f*

Developer/Project Manager Date

## ARO Web Form

### Development Information

**Address**

**Submitted Date: 06/07/2017**

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 Transit 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

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## *Existing Land Use Area Map ^LICATjQN*

Residential 3 Stories  
Commercial 4 Stories  
Commercial 3 Stories

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

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

## Existing Zoning and Street System Map

Applicant: Barry Sidel  
Address: 2835-47 W Belden Avenue  
Intro Date: September 24, 2015 CPC Date: June 15, 2017

### PD Boundary Map ^

Applicant: Barry Sidel  
Address: 2835-47 W Belden Avenue  
Intro Date: September 24, 2015 CPC Date: June 15,2017

***FINAL FOR***

### Generalized Site / Landscape Plan

32'

***uir~|***

0' 8' 16"  
Applicant: Barry Sidel  
Address: 2835-47 W Belden Avenue

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

## North Elevation

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Applicant: Barry Sidel  
Address: 2835-47 W Belden Avenue  
32'

0' 8' 16'

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

## West Elevation

-0- -0- -0- -0- -0- -0- -0-

0' 8' 16'

Applicant: Barry Sidel  
Address: 2835-47 W Belden Avenue  
Intro Date: September 24, 2015 CPC Date: June 15,2017

## South Elevation

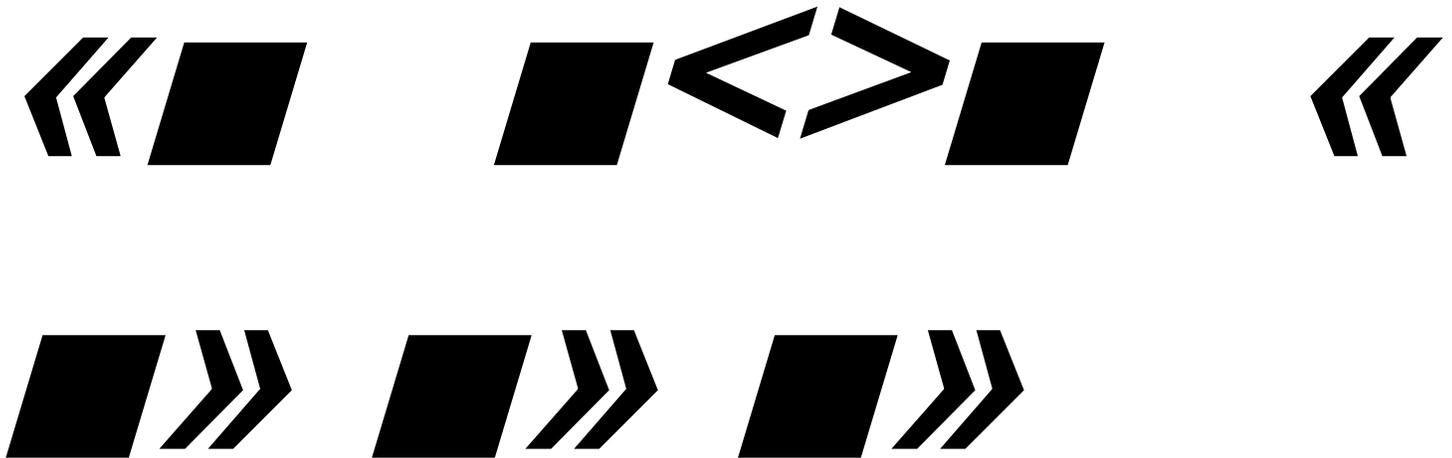
\*L ^0/?

0' 8' 16' 32'

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

Intro Date: September 24, 2015  
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### East Elevation



0' 8' 16'

Applicant: Barry Sidel  
Address: 2835-47 W Belden Avenue  
Intro Date: September 24, 2015 CPC Date: June 15, 2017

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF  
CHICAGO

### MEMORANDUM

To: Alderman Daniel S. Solis

ChainnanJCity Council Committee on Zoning

From:

David Reifo Commission Department of Planning and Development

Date: June 15,2017

Re: Proposed Planned Development (generally located at 2835 W. Belden)

On June 15, 2017, the Chicago Plan Commission recommended approval of a proposed Residential Planned Development submitted by the Applicant, Barry Sidel. The project involves the construction of a 6-story residential building with 100 dwelling units and 30 parking spaces. A copy of the proposed ordinance, planned development statements, bulk table and exhibits are attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, Bureau of Zoning and Land Use recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-9476.

Cc: Steve Valenziano

PD Master File (Original PD, copy of memo)

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602