

CITY OF CHICAGO
APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

#22435-T1
INTRO DATE
APRIL 17, 2024

1. ADDRESS of the property Applicant is seeking to rezone:
4456-4458 North Western Avenue, Chicago, Illinois

2. Ward Number that property is located: 47

3. APPLICANT: 4454 N Western Inc.

ADDRESS: [REDACTED] CITY: [REDACTED]

STATE: [REDACTED] ZIP CODE: [REDACTED] PHONE: 312-450-8421

EMAIL: s.barnes@gozdel.com CONTACT PERSON: Sara Barnes – Attorney for Applicant

4. Is the Applicant the owner of the property? YES NO

If the Applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the application to proceed.

OWNER: Same as Above

ADDRESS: _____ CITY: _____

STATE: _____ ZIP CODE: _____ PHONE: _____

EMAIL: _____ CONTACT PERSON: _____

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:

ATTORNEY: Sara K. Barnes – Gozdecki, Del Giudice, Americus & Brocato LLP

ADDRESS: One East Wacker Drive – Suite 1700

CITY: Chicago STATE: Illinois ZIP CODE: 60601

PHONE: 312-450-8421 FAX: N/A EMAIL: s.barnes@gozdel.com

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.), please provide the names of all owners as disclosed on the Economic Disclosure Statements.
Gerard Coyle – President-Sole Owner
7. On what date did the owner acquire legal title to the subject property?
October 2023
8. Has the present owner previously rezoned this property? If Yes, when?
No
9. Present Zoning District: C1-2 Proposed Zoning District: B2-3
10. Lot size in square feet (or dimensions): 5,356.80 square feet (49.60 feet x 108.00 feet)
11. Current Use of the Property: The subject property comprises the southwest corner of Western Avenue and Sunnyside Avenue, with just over 49 feet of frontage on Western Avenue and 108 feet of frontage on Sunnyside Avenue, respectively. The site is vacant and unimproved.
12. Reason for rezoning the property: The Applicant is seeking an elective *Type 1 Zoning Map Amendment* in order to permit the construction of a new five-story nine-unit *mixed-use* building, with onsite accessory parking for eight automobiles, at the subject property, pursuant to Section 17-13-0303-D of the Chicago Zoning Ordinance (as amended December 2023).
13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling unit number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC) The Applicant is seeking an elective *Type 1 Zoning Map Amendment* with *Administrative Adjustment* relief, pursuant to Section 17-13-0303-D of the Chicago Zoning Ordinance, in order to permit the construction and occupancy of a new five-story nine-unit *mixed-use* building, with onsite accessory parking for eight automobiles, at the subject property. The programming for the proposed new development calls for the establishment of a single “*business live/work unit*” (1,308 square feet) on the ground floor – fronting Western Avenue and wrapping along the Sunnyside Avenue corner, thereby activating both public ways. The 2nd through 5th Floors of the proposed new building will feature a total of eight (8) *dwelling units* – two units, stacked side by side, per floor. There will be interior parking for a total of eight (8) automobiles and at least (8) eight bicycles situated within the rear of the ground floor, with access directly off of the Public Alley. The new proposed improvements will be masonry in construction, with the building measuring 54 feet-10 inches in height.
14. If filing a required or an elective Type 1 map amendment pursuant to Section 17-13-0300, applications may include relief available pursuant to Section 17-13-1000 or 17-13-1100; in such instances, City Council approval of a Type-1 application containing said elements shall preclude subsequent review otherwise required pursuant to Sections 17-13-1000 or 17-13-1100, provided that no Type 1 application permits issued may be in violation of Section 17-13-0310.

Please apply the specific code sections the applicant is seeking relief for (BE SPECIFIC) Administrative Adjustment Section(s) 17-13-1000 or Variation Section(s) 17-13-1100. (Note: more detail noted within the Type 1 narrative)

Administrative Adjustment 17-13-1003: The Applicant is seeking *Administrative Adjustments* (i) to reduce the required *rear setback* for *residential* use by not more than 50% - from 30 feet to 24 feet-4 inches [Section 17-13-1003-I]; (ii) to increase the *Minimum Automobile Parking Ratio* for a *Transit-Served Location (TSL)*, from four parking spaces (50%) to eight parking spaces (88%) [Section 17-13-1003-EE], and (iii) to reduce the minimum 60% *transparency* requirement for the street-facing building façade on a “pedestrian street” (Western Avenue) by not more than 25% - from 165 square feet to 125 square feet [Section 17-13-1003-Q], in order to permit the construction and occupancy of a new five-story nine-unit *mixed-use* building with off-street parking for eight automobiles, at the subject property.

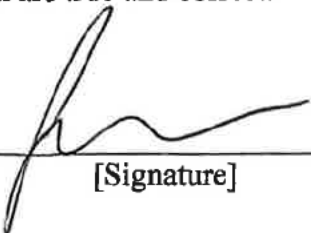
Variation 17-13-1101: When seeking a use involving a Public Place of Amusement (PPA) & Liquor License please provide an acknowledgement document from The Department of Business Affairs and Consumer Protection Office (BACP) indicating the city acknowledges your business license request.

15. The Affordable Requirements Ordinance (ARO) requires on-site affordable housing units and/or a financial contribution for residential housing projects with ten or more units that receive a zoning change which, among other triggers, increases the allowable floor area, or, for existing Planned Developments, increases the number of units (see attached fact sheet or visit www.cityofchicago.org/ARO for more information). Is this project subject to the ARO?

YES _____ NO X

COUNTY OF COOK
STATE OF ILLINOIS

I, GERARD COYLE, being first duly sworn on oath, state that all of the above statements and the statements contained in the documents submitted herewith are true and correct.



[Signature]

Subscribed and sworn to before me this

18th day of MARCH, 2024.



Notary Public



For Office Use Only

Date of Introduction: _____

File Number: _____

Ward: _____



UNITED SURVEY SERVICE, LLC

CONSTRUCTION AND LAND SURVEYORS
7710 CENTRAL AVENUE, RIVER FOREST, IL 60305
TEL.: (847) 299 - 1010 FAX: (847) 299 - 5887 FAX: (224) 633 - 5048
E-MAIL: USURVEY@USANDCS.COM

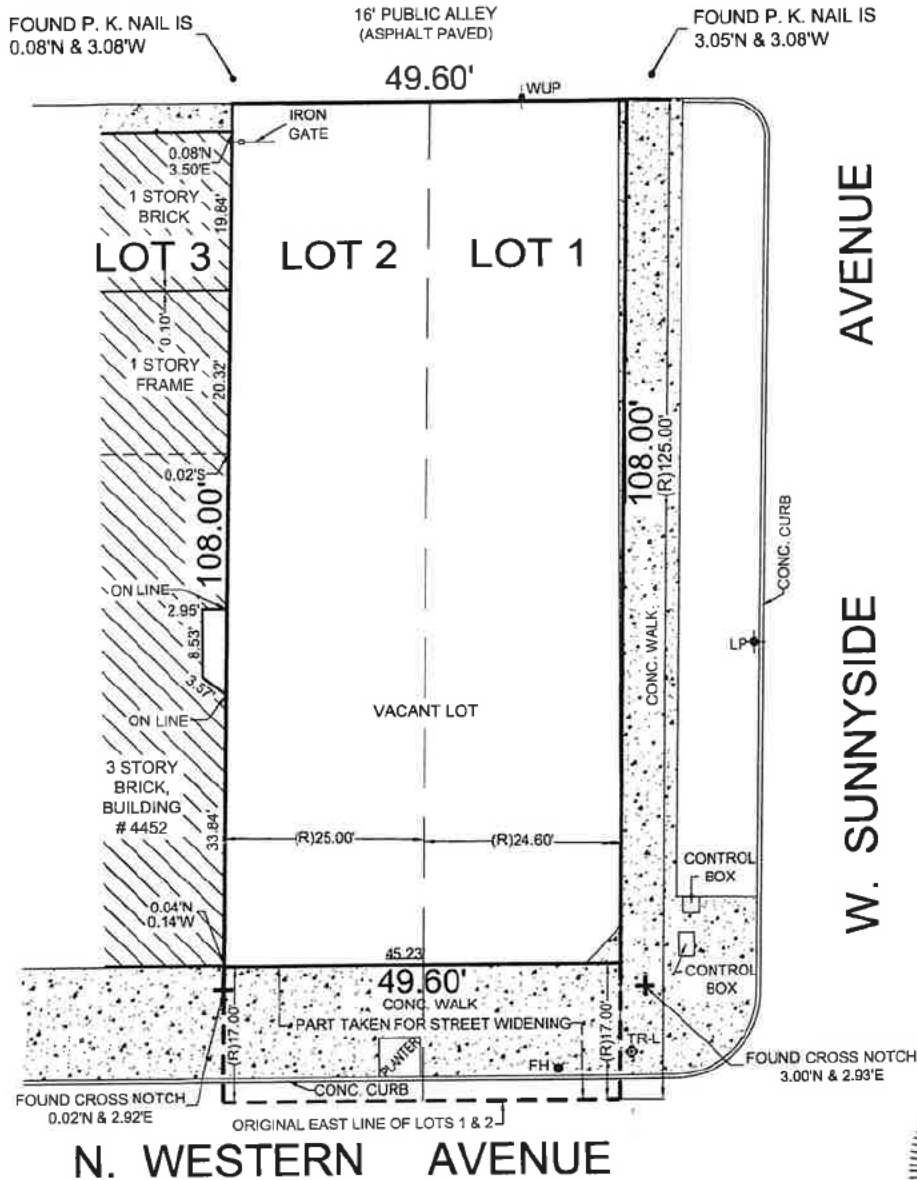
PLAT OF SURVEY

OF

LOTS 1 AND 2 IN BLOCK 12 (EXCEPT THAT PART TAKEN FOR WIDENING WESTERN AVENUE) IN THE NORTHWEST LAND ASSOCIATION SUBDIVISION OF THE EAST 1/2 OF THE EAST 1/2 AND THE EAST 33.00 FEET OF THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 LYING SOUTH OF THE RIGHT OF WAY OF THE NORTHWESTERN ELEVATED RAILROAD IN SECTIONS 13, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

KNOWN AS: 4456 -58 N. WESTERN AVENUE, CHICAGO, ILLINOIS

PERMANENT INDEX NUMBER: 13 - 13 - 234 - 020 - 0000



LEGEND	ABBREVIATIONS
	FH FIRE HYDRANT
	TR-L TRAFFIC LIGHT
	LP LIGHT POLE
	WUP WOOD UTILITY POLE
(R)	RECORD

UPDATED: JANUARY 24, 2024

Q CHECK IN BOX MEANS THAT SURVEY HAS BEEN MADE FOR USE IN CONNECTION WITH A REAL ESTATE OR MORTGAGE LOAN TRANSACTION AND IS NOT TO BE USED FOR CONSTRUCTION.

ORDERED BY: PLATINUM HOMES DEVELOPMENT
DATE : AUGUST 9, 2022
SCALE : 1" = 15'
ORDER No.: 2022 - 30419

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS OTHERWISE REFER TO YOUR DEED OR ABSTRACT. COMPARE ALL POINTS BEFORE BUILDING BY SAWS AND AT ONCE REPORT ANY DIFFERENCE.

STATE OF ILLINOIS)
COUNTY OF COOK)

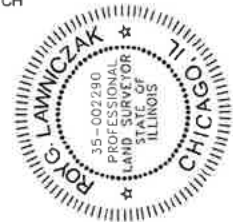
I, ROY G. LAWNICZAK DO HEREBY CERTIFY THAT I HAVE LOCATED THE BUILDING ON THE ABOVE PROPERTY.

Roy G. Lawniczak
ROY G. LAWNICZAK, REG. ILL. LAND SURVEYOR NO. 35 - 2290

STATE OF ILLINOIS)
COUNTY OF COOK)

I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE CORRECTED TO A TEMPERATURE OF 68° FAHRENHEIT. COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.

Roy G. Lawniczak
ROY G. LAWNICZAK, REG. ILL. LAND SURVEYOR NO. 35 - 2290
LICENSE EXPIRES: NOVEMBER 30, 2024
PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004576
LICENSE EXPIRES: APRIL 30, 2025



Written Notice, Form of Affidavit: Section 17-13-0107

April 17, 2024

Honorable Chair
Committee on Zoning
121 North LaSalle Street
Room 304 - City Hall
Chicago, Illinois 60602


To Whom It May Concern:

The undersigned, **Sara Barnes**, being first duly sworn on oath, deposes and says the following:

That the undersigned certifies that she has complied with the requirements of Section 17-13-0107 of the Zoning Code of the City of Chicago, by sending written notice to such property owners who appear to be the owners of the property within the subject area not solely owned by the Applicant-Property Owner, and on the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of the public roads, streets, alleys and other public ways, or a total distance limited to 400 feet. That said written notice was sent by USPS First Class Mail no more than 30 days before filing the application.

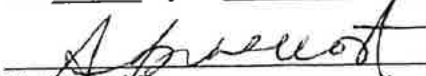
That the undersigned certifies that the notice contained the address of the property sought to be rezoned as **4456-4458 North Western Avenue, Chicago, Illinois**; a statement of intended use of said property; the name and address of the Applicant-Property Owner; and a statement that the Applicant intends to have an application for a change in zoning introduced on approximately **April 17, 2024**

That the Applicant has made a bonafide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Zoning Code of the City of Chicago and that the Applicant certifies that the accompanying list of names and addresses of surrounding property owners within 250 feet is a complete list containing the names and last known addresses of the owners of the property required to be serve.

By: 
Sara K. Barnes
Attorney for Applicant

Subscribed and sworn to before me

this 2nd day of APRIL, 2024.


Notary Public



PUBLIC NOTICE

Via USPS First Class Mail

April 17, 2024

Dear Sir or Madam:

In accordance with amendment to the Chicago Zoning Ordinance enacted by the City Council, Section 17-13-0107-A, please be informed that on or about **April 17, 2024**, I, the undersigned, intend to file an application for a change in zoning from a *C1-2 Neighborhood Commercial District* to a *B2-3 Neighborhood Mixed-Use District*, pursuant to an elective *Type 1 Zoning Map Amendment*, on behalf of the Applicant-Property Owner – *4454 N Western Inc.*, for the property generally located at **4456-4458 North Western Avenue, Chicago, Illinois**.

The Applicant is seeking an elective *Type 1 Zoning Map Amendment* with *Administrative Adjustment* relief, pursuant to Section 17-13-0303-D of the Chicago Zoning Ordinance, in order to permit the construction and occupancy of a new five-story nine-unit *mixed-use* building, with onsite accessory parking for eight automobiles, at the subject property. The programming for the proposed new development calls for the establishment of a single “*business live/work unit*” on the ground floor – fronting Western Avenue and wrapping along the Sunnyside Avenue corner, thereby activating both public ways. The 2nd through 5th Floors of the proposed new building will feature a total of eight (8) *dwelling units* – two units, stacked side by side, per floor. There will be interior parking for a total of eight (8) automobiles and at least (8) eight bicycles situated within the rear of the ground floor, with access directly off of the Public Alley. The new proposed improvements will be masonry in construction, with the building measuring 54 feet-10 inches in height.

The Applicant-Property Owner – *4454 N Western Inc.* is located at [REDACTED]

The contact person for this application is **Sara K. Barnes** - *Attorney for Applicant*. My address is One East Wacker Drive – Suite 1700, Chicago, Illinois. My telephone number is 312-450-8421.

Very truly yours,

Sara K. Barnes

Sara K. Barnes

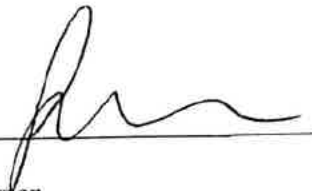
Gozdecki, Del Giudice, Americus & Brocato LLP
Attorneys for Applicant

*****Please note that the Applicant is NOT seeking to purchase or rezone your property.**

*****The Applicant is required by law to send this notice because you own property located within 250 feet of the property subject to the proposed Zoning Amendment.**

To Whom It May Concern:

I, GERARD COYLE, on behalf of *4454 N Western Inc.* – the Applicant and Owner, with regard to the property generally located at 4456-4458 North Western Avenue, Chicago, Illinois, authorize *Gozdecki, Del Giudice, Americus & Brocato LLP* to file an application for a *Zoning Map Amendment*, before the *City of Chicago – City Council*, for and affecting such above-identified property.



Gerard Coyle
President-Sole Owner
4454 N Western Inc.


-FORM OF AFFIDAVIT-

Committee on Zoning, Landmarks & Building Standards
City of Chicago – City Hall
121 North LaSalle Street - Room 304
Chicago, Illinois 60602


Dear Honorable Chair and Esteemed Committee Members:

I, GERARD COYLE, on behalf of *4454 N Western Inc.*, understand that the *Gozdecki, Del Giudice, Americus & Brocato LLP* has filed a sworn affidavit identifying *4454 N Western Inc.* as holding present title interest in a certain parcel of land that is subject to a proposed *Zoning Map Amendment* for the property generally identified as 4456-4458 North Western Avenue, Chicago, Illinois.

I, GERARD COYLE, being first duly sworn under oath, depose and say that *4454 N Western Inc.* holds such interest for itself, and for no other person, association, or shareholder.


Gerard Coyle 3-18-24
Date

Subscribed and sworn to before me
this 18th day of MARCH, 2024.



Notary Public

