

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

#22254
INTRO DATE
SEPT 13, 2023

1. ADDRESS of the property Applicant is seeking to rezone:
5173 South Archer Avenue, Chicago, Illinois

2. Ward Number that property is located: 23

3. APPLICANT: Raul Rivera

ADDRESS: 5173 South Archer Avenue CITY: Chicago

STATE: Illinois ZIP CODE: 60632 PHONE: 312-782-1983

EMAIL: sara@sambankslaw.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 - Law Offices of Samuel V.P. Banks

ADDRESS: 221 North LaSalle Street, 38th Floor

CITY: Chicago STATE: Illinois ZIP CODE: 60601

PHONE: (312) 782-1983 FAX: 312-782-2433 EMAIL: sara@sambankslaw.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.

7. On what date did the owner acquire legal title to the subject property?
October 2015

8. Has the present owner previously rezoned this property? If Yes, when?
No

9. Present Zoning District: RT-4 and B3-1 Proposed Zoning District: B3-1

10. Lot size in square feet (or dimensions): 8,835 square feet (irregular)

11. Current Use of the Property: The subject property consists of a single irregularly-shaped zoning lot, with just over 97 feet of frontage on Archer Avenue and just over 101 feet of frontage on Kostner Avenue. The site is improved with a one-story commercial building and a surface parking lot, which such improvements are presently vacant and unoccupied.

12. Reason for rezoning the property: The Applicant is seeking a Zoning Map Amendment in order to permit the adaptive reuse and reactivation of the existing one-story building, with the establishment and operation of a new restaurant-café. The Zoning Map Amendment is required in order to allow for the proposed "use" of the existing improvements at the subject property.

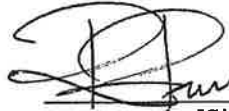
13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling unit number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC) The Applicant is seeking a Zoning Map Amendment, in order to permit the adaptive reuse and reactivation of the existing (vacant) one-story building at the subject property, with the establishment and operation of a new restaurant-café (+/- 2,856 square feet). The Zoning Map Amendment is required in order to allow for the proposed "use" (restaurant) of the existing improvements. There is no physical expansion of the footprint or envelope of the exiting building as part of this proposal. The existing surface parking lot accommodates off-street parking for at least twelve (12) vehicles, which such accommodations will be for the exclusive use of staff and patrons of the proposed new restaurant. The existing building is, and will remain, masonry in construction, measuring around 20 feet-0 inches in height.

14. 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, RAUL RIVERA, 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.

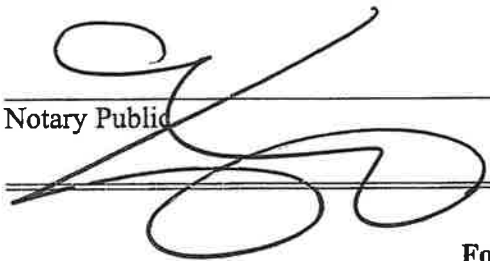


[Signature]

Subscribed and sworn to before me this

16th day of August, 2023.

Notary Public



For Office Use Only

Date of Introduction: _____

File Number: _____

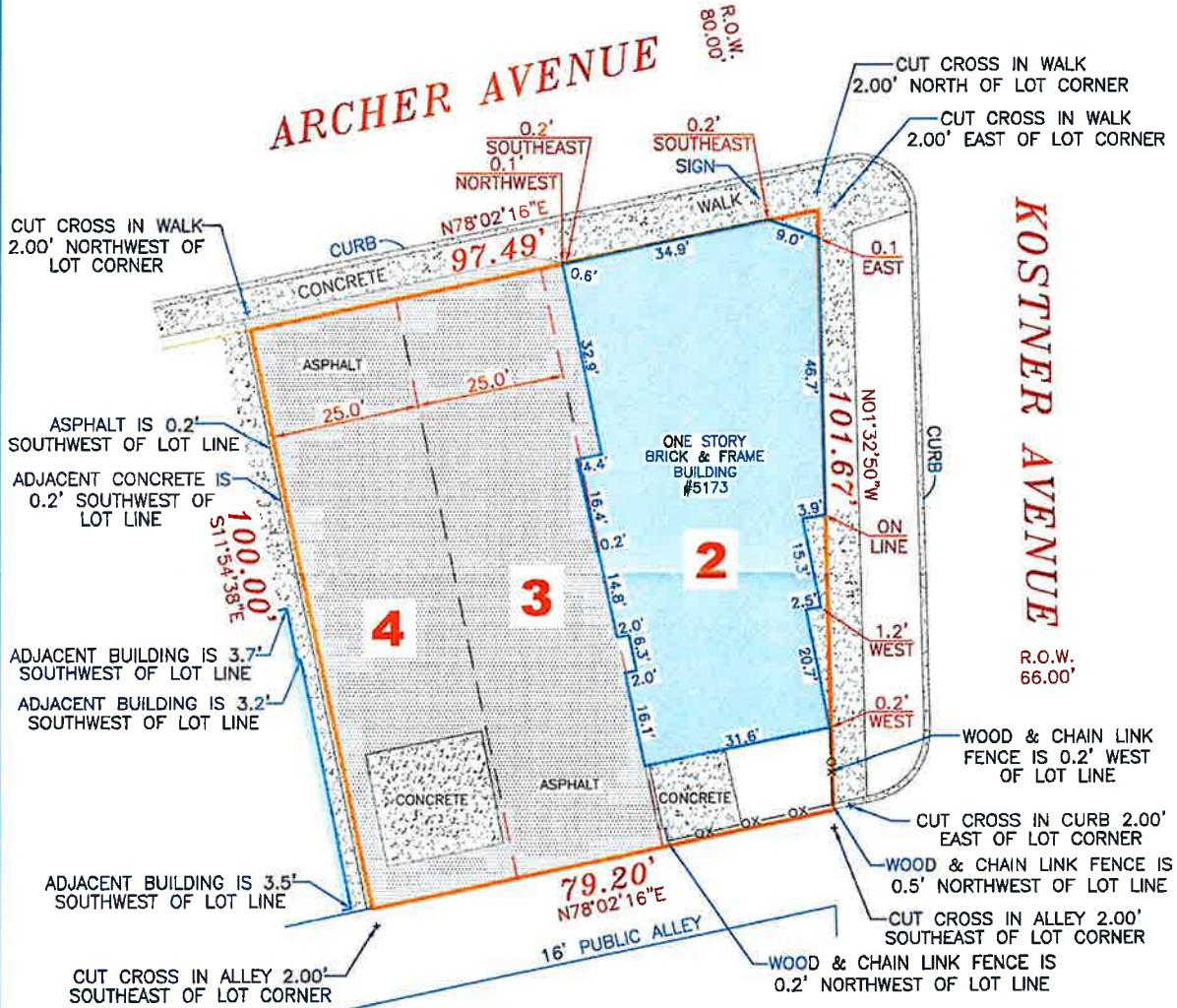
Ward: _____

PLAT OF SURVEY

OF

LOTS 2, 3, AND 4 IN BLOCK 5 IN ARCHER HIGHLANDS ADDITION BEING H.H. WESSEL AND COMPANY'S SUBDIVISION OF THE WEST 1/4 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 10 ALSO THE EAST 1/4 (EXCEPT THE RAILROAD RIGHT OF WAY) OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 5173 SOUTH ARCHER AVENUE



CLIENT: MIRNA RIVERA

AREA OF SURVEY = 8,835 SQ.FT.
BASIS OF BEARINGS: ASSUMED



15935 S. BELL ROAD (708) 645-1136
HOMER GLEN, IL 60491 FAX (708) 645-1138
WWW.JNTLANDSURVEY.COM



1" = 20'
SCALE

STATE OF ILLINOIS } s. s.
COUNTY OF WILL }

FIELD WORK COMPLETED ON 18th DAY OF APRIL, 2023.

JNT LAND SURVEYING SERVICES INCORPORATED HEREBY CERTIFIES THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THE HEREON DRAWN PLAT IS A CORRECT REPRESENTATION THEREOF.

Dated this 25th Day of APRIL, 2023.

Steven Nagel

IPLS No. 3354

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCE.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. LICENSE EXPIRES 11/30/24

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

September 13, 2023

Honorable Carlos Ramirez-Rosa, Chairperson
City of Chicago - 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, 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 **5173 South Archer 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 file an application for a change in zoning on approximately **September 13, 2023**.

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 served.

Law Offices of Samuel V.P. Banks

By: Sara K. Barnes
Sara K. Barnes
Attorney for Applicant

Subscribed and sworn to before me

this 17th day of August, 2023.

Ashley R. Fakhouri



Notary Public

PUBLIC NOTICE

Via USPS First Class Mail

September 13, 2023

Dear Sir or Madam:

In accordance with Amendment to the Zoning Code enacted by the City Council, Section 17-13-0107-A, please be informed that on or about **September 13, 2023**, I, the undersigned, intend to file an application for a change in zoning from a (split-zoned) *RT-4 Residential Two-Flat, Townhouse and Multi-Unit District* and a *B3-1 Community Shopping District* to a (unified) *B3-1 Community Shopping District*, on behalf of the Applicant-Property Owner – *Raul Rivera*, for the property generally located at **5173 South Archer Avenue, Chicago, Illinois**.

The Applicant is seeking a *Zoning Map Amendment*, in order to permit the adaptive reuse and reactivation of the existing (vacant) one-story building at the subject property, with the establishment and operation of a new *restaurant-café*. The *Zoning Map Amendment* is required in order to allow for the proposed “use” (*restaurant*) of the existing improvements. There is no physical expansion of the footprint or envelope of the existing building as part of this proposal. The existing surface parking lot accommodates off-street parking for at least twelve (12) vehicles, which such accommodations will be for the exclusive use of staff and patrons of the proposed new *restaurant*. The existing building is, and will remain, masonry in construction, measuring around 20 feet-0 inches in height.

The Applicant-Property Owner – **Raul Rivera**, resides in the immediate neighborhood, with a business address of 5173 South Archer Avenue, Chicago, Illinois 60632.

The contact person for this application is **Sara K. Barnes** - *Attorney for Applicant*. My address is 221 North LaSalle Street, 38th Floor, Chicago, Illinois. My telephone number is 312-782-1983.

Very truly yours,

LAW OFFICES OF SAMUEL V.P. BANKS

Sara K. Barnes

Sara K. Barnes
Attorney 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, RAUL RIVERA – the Applicant and Owner, with regard to the property generally located at 5173 South Archer Avenue, Chicago, Illinois, authorize the *Law Offices of Samuel V.P. Banks* to file an application for a *Zoning Map Amendment*, with and before the *City of Chicago – City Council*, by and through its *Committee on Zoning, Landmarks & Building Standards*, for and affecting the above-identified property.

A handwritten signature in black ink, appearing to read 'R Rivera', is written over a horizontal line.

Raul Rivera

Property Owner-Applicant

-FORM OF AFFIDAVIT-

Chairman Carlos Ramirez-Rosa
City of Chicago - Committee on Zoning
City Hall
121 North LaSalle Street - Room 304
Chicago, Illinois 60602

Dear Chairman Ramirez-Rosa:

I, RAUL RIVERA, understand that the *Law Offices of Samuel V.P. Banks* has filed a sworn affidavit identifying me as holding present title interest in a certain parcel of land that is subject to the proposed *Zoning Map Amendment*, for the property generally identified as 5173 South Archer Avenue, Chicago, Illinois.

I, RAUL RIVERA, being first duly sworn under oath, depose and say that I hold such interest for myself, and for no other association or shareholder.



Raul Rivera

Date

Subscribed and sworn to before me

this 16th day of AUGUST, 2023.



Notary Public