

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

#22414
INTRO DATE
APRIL 17, 2024

1. ADDRESS of the property Applicant is seeking to rezone:

2328 South Michigan Avenue

2. Ward Number that property is located in: 3rd

3. APPLICANT 2328 S Michigan Owner LLC

ADDRESS 360 North State Street CITY Chicago

STATE IL ZIP CODE 60654 PHONE 312-550-9388

EMAIL nickanderson@fernhillcompany.com CONTACT PERSON Nick Anderson

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 DLA Piper LLP (US) – Katie Jahnke Dale & Rich Klawiter

ADDRESS 444 W Lake, Suite 900

CITY Chicago STATE IL ZIP CODE 60606

PHONE 312-368-2153 FAX 312-251-2856

EMAIL katie.dale / richard.klawiter@dlapiper.com

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.) please provide the names of all owners as disclosed in the Economic Disclosure statements: See enclosed EDS forms

7. On what date did the owner acquire legal title to the subject property? January 23, 2020
8. Has the present owner previously rezoned this property? If yes, when? No
9. Present Zoning District: DS-5 Proposed Zoning District: DX-5 then Residential-Business Planned Development
10. Lot size in square feet (or dimensions): 30,450 sf
11. Current Use of the Property: Vacant drive-through
12. Reason for rezoning the property: Mandatory Planned Development per Sections 17-8-0512-B (Tall Buildings), 17-8-0513 (Large Residential Developments) and 17-8-0514 (Bonus Floor Area)

13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces, approximate square footage of any commercial space; and height of proposed building. (BE SPECIFIC): The Applicant requests to allow the construction of an 18-story, 170 foot tall building containing 256 dwelling units, 10 parking spaces and 3,000 square feet of ground floor commercial space. The overall Floor Area Ratio (FAR) would be 8.41.
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: _____

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?

16. YES _____ NO _____

COUNTY OF COOK
STATE OF ILLINOIS

Nick Anderson, of **2328 S MICHIGAN OWNER LLC**, being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.



Signature of Applicant

Subscribed and Sworn to before me this
21st day of March, 2024.

R Laurie

Notary Public



For Office Use Only

Date of Introduction: _____

File Number: _____

Ward: _____

CERTIFIED SURVEY

16144 S Bell Road, Homer Glen, Illinois 60491 Phone 847-296-6900 Fax 847-296-6906

Email : surveys@certifiedsurvey.com

PLAT OF SURVEY

OF
 PARCEL 1: THAT PART OF THE EAST 1/2 OF OUTLOT OR BLOCK 22 IN THE CANAL TRUSTEES' SUBDIVISION OF THE WEST 1/2 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE NORTH 100.00 FEET THEREOF (EXCEPT THOSE PORTIONS THEREOF TAKEN FOR ALLEY AND FOR THE WIDENING OF MICHIGAN AVENUE AND EXCEPT THAT PART CONVEYED TO ELLA FRANCES DURAND KENNETT BY DEED FROM IMMANUEL BAPTIST CHURCH DATED OCTOBER 10, 1895 AND RECORDED OCTOBER 10, 1895 AS DOCUMENT 2290277 IN BOOK 5555 PAGE 154), IN COOK COUNTY, ILLINOIS.

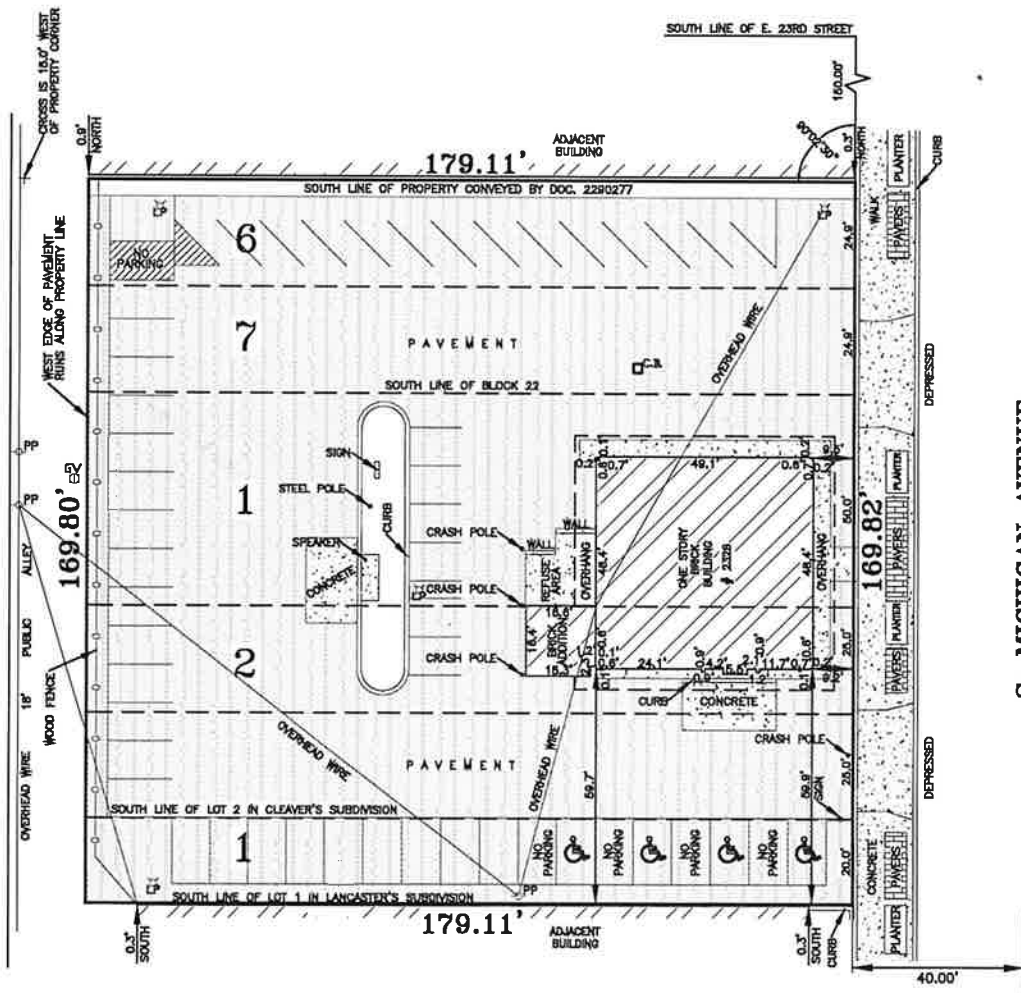
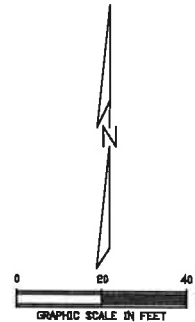
PARCEL 2: LOT 1 AND THE NORTH 1/2 OF LOT 2 (EXCEPT THAT PART OF SAID LOTS TAKEN FOR WIDENING OF MICHIGAN AVENUE) IN CLEAVER'S SUBDIVISION OF BLOCK 31 IN CANAL TRUSTEES' SUBDIVISION OF THE WEST 1/2 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3: THE SOUTH 1/2 OF LOT 2 IN SUBDIVISION OF BLOCK 31 IN CANAL TRUSTEES' SUBDIVISION OF THE WEST 1/2 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN

PARCEL 4: SUB LOT 1 IN LANCASTER'S SUBDIVISION OF LOTS 3 AND 4 IN THE SUBDIVISION OF BLOCK 31 IN CANAL TRUSTEES' SUBDIVISION OF THE WEST 1/2 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 2328 S MICHIGAN AVENUE
 CHICAGO, IL

PIN: 17-27-109-008/009/010/011/012/013
 LOT AREA=30,414 S.F.



S. MICHIGAN AVENUE

COMPARE LEGAL DESCRIPTION TO DEED AND REPORT ANY DISCREPANCY IMMEDIATELY. A TITLE COMPANY MAY NOT HAVE BEEN FURNISHED FOR USE IN PREPARATION OF THIS SURVEY. THIS PLAT DOES NOT SHOW BUILDING RESTRICTIONS ESTABLISHED BY LOCAL ZONING ORDINANCES. LOCAL AUTHORITIES MUST BE CONSULTED REGARDING ANY RESTRICTIONS. SUBMIT TO JURISDICTION OF RECORD.

DO NOT SCALE DIMENSIONS FROM THIS PLAT. NO DIMENSIONS SHOULD BE MADE FROM THE INFORMATION SHOWN WITHOUT THE PERMISSION OF CERTIFIED SURVEY. THIS PLAT IS NOT TRANSFERABLE. ONLY PRINTS WITH AN UNREVERSED SEAL ARE OFFICIAL COPIES. © COPYRIGHT, ALL RIGHTS RESERVED.

ORDER No. 24-02-126
 ORDERED BY: FERN HILL COMPANY

STATE OF ILLINOIS
 COUNTY OF WILL
 WE, CERTIFIED SURVEY, AS ILLINOIS LICENSED PROFESSIONAL LAND SURVEYORS, HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED IN THE CAPTION TO THE PLAT HEREON DRAWN AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
 ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS OF A FOOT AND ARE CORRECT AT A TEMPERATURE OF 68 DEGREES FAHRENHEIT, DIMENSIONS SHOWN ON BUILDINGS ARE TO THE OUTSIDE OF BUILDINGS.

SURVEYED 11TH DAY OF MARCH 2024.
 BEGAN THIS 13TH DAY OF MARCH 2024.

Ravin Chaffee
 PROFESSIONAL ILLINOIS LAND SURVEYOR No. 3184





DLA Piper LLP (US)
444 West Lake Street, Suite 900
Chicago, Illinois 60606
www.dlapiper.com

Katie Jahnke Dale
Katie.dale@us.dlapiper.com
T 312.368.2153

April 3, 2024

The Honorable Bennett Lawson, Acting Vice-Chairman
City of Chicago Committee on Zoning
Room 304, City Hall
121 North LaSalle Street
Chicago, Illinois 60602

Laura Flores, Chairwoman
Chicago Plan Commission
Room 1000, City Hall
121 North LaSalle Street
Chicago, Illinois 60602

**Re: Application for Planned Development / Affidavit of Notice of Filing
2328 South Michigan Avenue, Chicago, IL**

Dear Chairman Lawson and Chairwoman Flores:

The undersigned, Katie Jahnke Dale, an attorney with the law firm of DLA Piper LLP (US), which firm represents 2328 S Michigan Owner LLC, the applicant for a proposal to rezone the subject property from the DS-5 Downtown Service District to DX-5 Downtown Mixed-use District, states that they intend to comply with the requirements for Section 17-13-0107 of the Chicago Zoning Ordinance 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 to the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of public roads, streets, alleys and other public ways. Said written notice will be sent by First Class U.S. Mail, no more than 30 days before filing the application.

The undersigned certifies that the notice contains the address of the property sought to be rezoned; a statement of the intended use of the property; the name and address of the applicant; the name and address of the owner; a statement that the applicant intends to file the application for change in zoning on approximately April 17, 2024; and a source for additional information on the application.

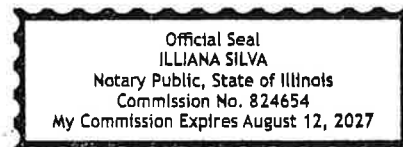
The undersigned certifies that they have made a bona fide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Chicago Zoning Ordinance, and that the accompanying list of names and addresses of surrounding property owners within 250 feet of the subject site is a complete list containing the names and addresses of the people required to be served.

Very truly yours,

DLA Piper LLP (US)

Katie Jahnke Dale

Subscribed and sworn to before me
This 3rd day of April, 2024.

Notary Public



DLA Piper LLP (US)
444 W. Lake Street Suite 900
Chicago, Illinois 60606
www.dlapiper.com

Katie Jahnke Dale
Katie.dale@us.dlapiper.com
T 312.368.2153

April 17, 2024

FIRST CLASS MAIL

Dear Sir or Madam:

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance, specifically Section 17-13-0107 of the Municipal Code of the City of Chicago, please be informed that on or about April 17, 2024 the undersigned, on behalf of 2328 S Michigan Owner LLC (the "Applicant"), intends to file an application to rezone the property generally located at 2328 South Michigan Avenue, Chicago, Illinois (the "Property") from DS-5 Downtown Service District to a DX-5 Downtown Mixed-use District then to a Residential-Business Planned Development. A map of the Property is printed on the reverse side of this letter.

The Property is currently a vacant drive-through. The Applicant requests a re-zoning from the DS-5 Downtown Service District to the DX-5 Downtown Mixed-use District then to a Residential-Business Planned Development to allow the construction of an 18-story, 170-foot-tall building containing 256 dwelling units, 10 parking spaces and 3,000 square feet of ground floor commercial space. The overall Floor Area Ratio (FAR) would be 8.41.

Please note that the Applicant is not seeking to rezone or purchase your property. You are receiving this notice as required by the Chicago Municipal Code because the assessor's tax records indicate that you own property within 250 feet of the Property.

I am an authorized representative of the Applicant, and my address is 444 W. Lake Street, Suite 900, Chicago, IL 60606. The Applicant and Owner is 2328 S Michigan Owner LLC, and its address is 360 North State Street, Chicago, IL 60654.

Please contact me at 312-368-2153 with questions or to obtain additional information.

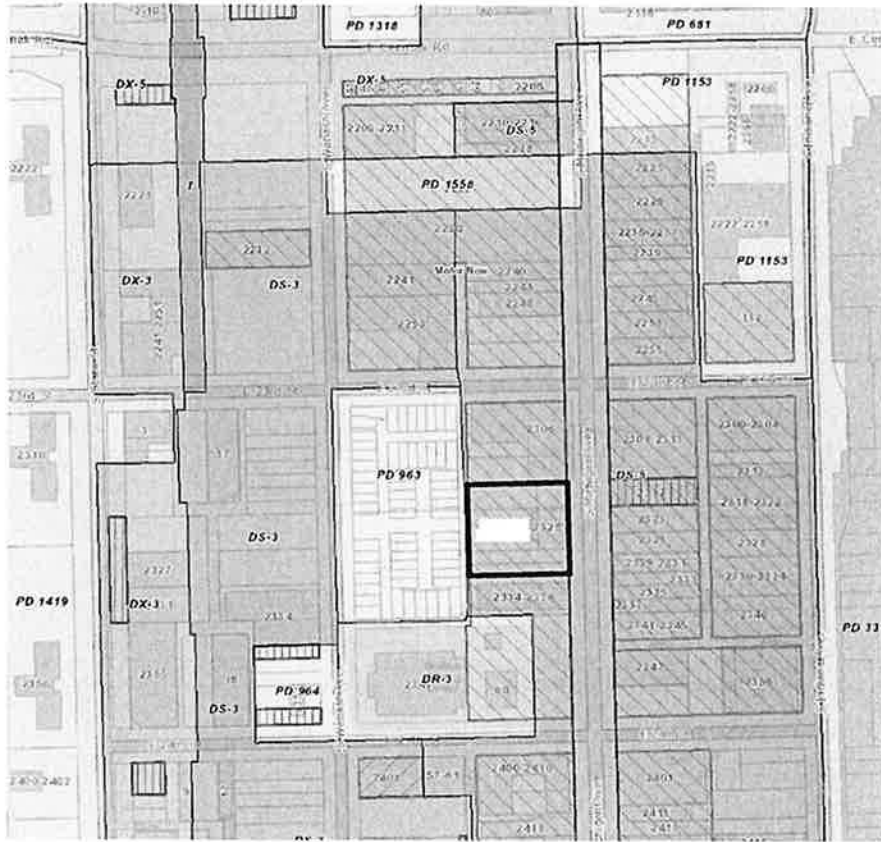
Very truly yours,

DLA Piper LLP (US)

A handwritten signature in blue ink that reads 'Katie Jahnke Dale'.

Katie Jahnke Dale

MAP:



PINs:

17-27-109-008-0000; 17-27-109-009-0000; 17-27-109-010-0000; 17-27-109-011-0000; 17-27-109-012-0000; 17-27-109-013-0000.