

#22262-TI
INTRO DATE
SEPT 13, 2023

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

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

5338-40 North Lincoln Ave., Chicago

2. Ward Number that property is located in: 40th Ward

3. APPLICANT 5338 N. LINCOLN, LLC

ADDRESS 3500 West Peterson Ave, Suite 201 CITY CHICAGO

STATE IL ZIP CODE 60659 PHONE 773-510-5400

EMAIL _____ CONTACT PERSON Flavius Ardelean

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 applicant to proceed.

OWNER 5338 N. LINCOLN, LLC

ADDRESS as above CITY _____

STATE _____ ZIP CODE _____ PHONE 773-510-5400

EMAIL _____ CONTACT PERSON Flavius Ardelean

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

ATTORNEY Agnes Plecka / Jaffe & Berlin

ADDRESS 111 West Washington St., Ste. 900

CITY Chicago STATE Illinois ZIP CODE 60602

PHONE 312-878-7470 FAX 312-372-2615 EMAIL aplecka@jaffeberlin.com

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.) please provide the names of all owners disclosed on the Economic Disclosure Statements.

Flavius Ardelean

7. On what date did the owner acquire legal title to the subject property? 02/23/23

8. Has the present owner previously rezoned this property? If yes, when?
NO

9. Present Zoning District B3-2 Proposed Zoning District B3-3

10. Lot size in square feet (or dimensions) 50' x 125'

11. Current Use of the property Commercial building (currently vacant)

12. Reason for rezoning the property To comply with the use table and standards and the bulk and density requirements of the B3-3 District, to build a new mixed-use building with a commercial unit on the ground floor and 9 dwelling units on the upper floors (existing building to be demolished).

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 the proposed building. (BE SPECIFIC)

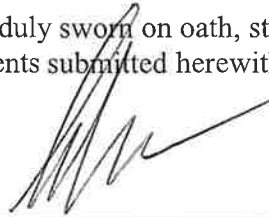
To comply with the use table and the standards and the bulk and density requirements of the B3-3 District to demolish the existing commercial building and redevelop this property with a 4-story mixed-use building with a commercial unit on the ground floor (approximately 2,100 SF of commercial space); and parking garage for 9 cars; proposed height 47'-10".

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

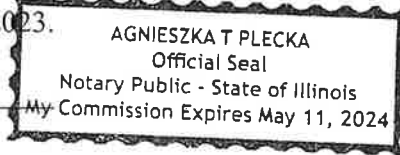
Flavius Ardelean, being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.



Signature of Applicant

Subscribed and Sworn to before me this
28 day of April, 2023.



Notary Public

For Office Use Only

Date of Introduction: _____

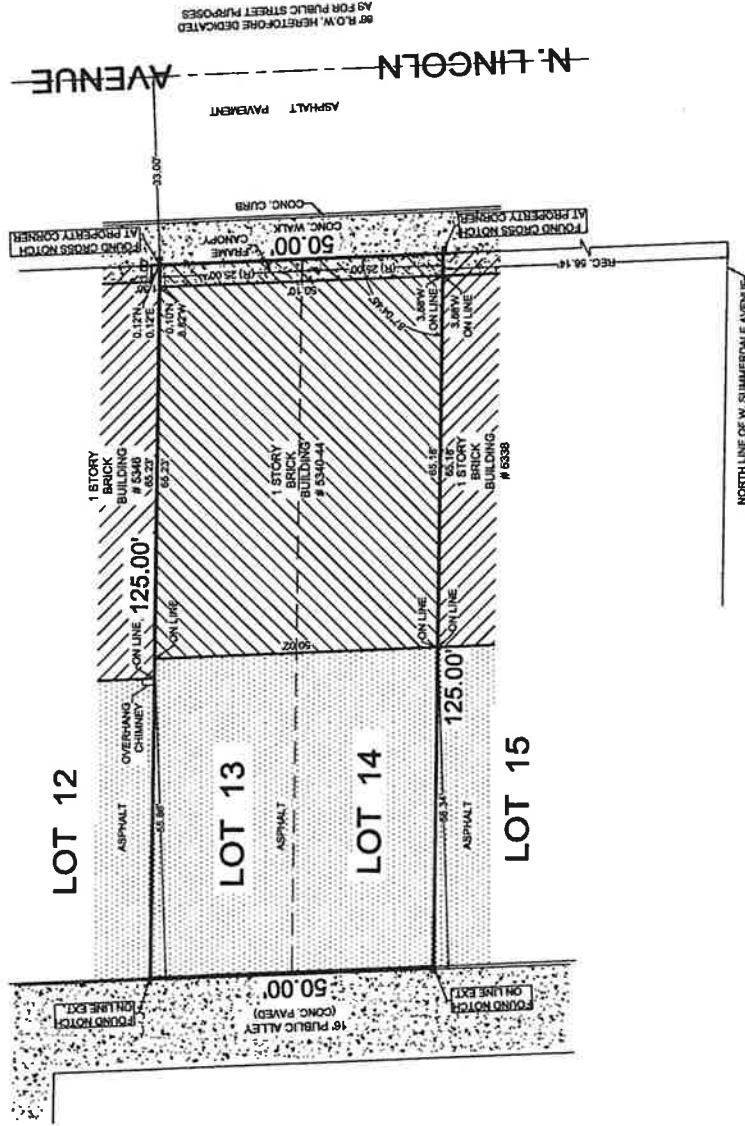
File Number: _____

Ward: _____

UNITED SURVEY SERVICE, LLC
 CONSTRUCTION AND LAND SURVEY OF
 7710 CENTRAL AVENUE RIVER FOREST, IL 60305
 TEL: (847) 299-1010 FAX: (847) 299-5887
 E-MAIL: USURVEY@USANDCS.COM

PLAT OF SURVEY

OF
 LOT 13 AND 14 IN OLIVER SAUNGER AND CO'S LINCOLN AVENUE
 SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE SOUTH 1/2 OF
 THE WEST 1/4 OF THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 12,
 TOWNSHIP 46 NORTH RANGE 13, EAST OF THE THIRD PRINCIPAL
 MERIDIAN, LYING WEST OF LINCOLN AVENUE, IN COOK COUNTY, ILLINOIS.
 KNOWN AS: 5340 N. LINCOLN AVENUE, CHICAGO, ILLINOIS
 PERMANENT INDEX NUMBER: 13 - 12 - 221 - 019 - 0000



LEGEND	ABBREVIATIONS
(N)	RECORDED DATA

ORDERED BY:	ARDEN HEALTH
SCALE:	1" = 15'
DATE:	FEBRUARY 14, 2023
FILE NO.:	2023 - 30777
DATE	08-21-23
REVISION	UPDATED



STATE OF ILLINOIS)
 COUNTY OF COOK) S.S.

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 A BOUNDARY SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE CORRECTED TO A TEMPERATURE OF 86° FAHRENHEIT.

COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.

RIVER FOREST, ILLINOIS, AUGUST 21, A.D. 2023.

BY: *Roy G. Lawniczak*
 ROY G. LAWNICZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2280
 LICENSE EXPIRES: NOVEMBER 30, 2024
 PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004578
 LICENSE EXPIRES: APRIL 30, 2025

AFFIDAVIT
(Section 17-13-0107)

Date: August 30, 2023

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

The undersigned, Flavius Ardelean, being first duly sworn on oath, deposes and states the following:

The undersigned certifies that he has complied with the requirements of 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, or a total distance limited to 400 feet. Said written notice was sent by First Class U.S. Mail, no more than 30 days before filling the application

The undersigned certifies that the notice contained 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; and a statement that the applicant intends to file the application for a change in zoning on approximately September 13, 2023.

The undersigned certifies that the applicant has 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.



Flavius Ardelean

Subscribed and Sworn to before
me this 30th day of
August, 2023.



Notary Public

AGNIESZKA T PLECKA
Official Seal
Notary Public - State of Illinois
My Commission Expires May 11, 2024

JAFFE & BERLIN, L.L.C.

ATTORNEYS AT LAW

111 WEST WASHINGTON STREET

SUITE 900

CHICAGO, ILLINOIS 60602

OFFICE: (312) 236-5443 OR

(312) 372-1550

FAX: (312) 372-2615

WWW.JAFFEBERLIN.COM

SAMUEL G. JAFFE (1928 - 1992)

FRANK W. JAFFE

JAY S. BERLIN*

AGNES PLECKA

DILLON NICHOLS

***ALSO ADMITTED IN MICHIGAN**

OF COUNSEL

MARK S. LITNER

ELIZABETH M. SHEA

DENISE J. KING**

****ALSO ADMITTED IN FLORIDA**

August 30, 2023,

Re: 5338-40 North Lincoln Ave., Chicago

Dear Property Owner:

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance, specifically Section 17-13-0107, please be informed that on or about September 13, 2023, the undersigned will file an Application for a change in zoning on behalf of 5338 N. LINCOLN, LLC, from a B3-2 Community Shopping District to a B3-3 Community Shopping District, for the property located at 5338-40 North Lincoln Ave., Chicago, Illinois.

The subject property is currently improved with an existing commercial building which has been vacant for several years. The Applicant is proposing to demolish this existing building and redevelop the subject property with a new 4 story mixed use building with a commercial unit on the ground floor and 9 dwelling units on the upper floors. The Applicant needs a zoning change to comply with the minimum lot area per unit and the floor area ratio requirements of the Ordinance.

The Applicant is the owner of the subject property, and its business address is 3500 West Peterson Ave, Suite 201, Chicago IL 60659. I am the Attorney for the Applicant and the contact person for this Application. My address is 111 West Washington Street, Suite 900 Chicago, Illinois, and my telephone number is 312-878-7470.

Please note that the Applicant is not seeking to rezone or purchase your property. The Applicant is required by law to send this notice because you own property within 250 feet of the property to be rezoned.

Sincerely,



Agnes Plecka