

## Donna J. Pugh

### Partner

[djpugh@foley.com](mailto:djpugh@foley.com)

Chicago

312.832.4596



Donna J. Pugh is a real estate business lawyer focusing her practice on obtaining land use and zoning entitlements on behalf of her retail, office, residential, health care, and corporate clients. She is a partner in the firm's Real Estate Practice.

With her approach of bridging the gap between client, civic, and municipal needs, Donna has an exceptionally high success rate of securing necessary approvals for land development projects in the Chicago area. A consensus builder, Donna works to unite institutional property owners, elected officials, and community groups to achieve approvals that maximize flexibility of future land use and benefit all involved stakeholders.

Donna's client list is extensive, including many high-profile land development projects, such as obtaining zoning approvals for the 960,000-square-foot United Center, home to Chicago Bulls and Chicago Blackhawks, and new practice facilities for both teams. She obtained approvals for Magnificent Mile shopping centers including Water Tower Place, 900 North Michigan, and The Shops at North Bridge. She also obtained all zoning approvals for the original redevelopment (1994) and subsequent redevelopments of the 1.6 million square foot legacy mall Westfield Old Orchard in Skokie, IL.

Although Donna focuses her land use practice in Chicago, Cook County, DuPage County, and Will County, she has experience handling and advising on national land use matters.

Donna has extensive experience in securing planned developments, special uses, rezonings, variations, text amendments and other land use approvals.

## Representative Experience

### Long-Term Campus Planning and Zoning Projects

- United Center Joint Venture, The Chicago Bulls, The Chicago Blackhawks, and The Chicago White Sox: Obtained multiple planned development approvals for United Center, including original United Center arena, Bulls Practice Facility, Blackhawks Practice Facility, large addition to United Center, and currently seeking approvals for an expansion of the Chicago Blackhawks' Fifth Third Arena.
- Saint Joseph Hospital: Obtained planned development approvals for five-block hospital and medical office campus. Secured site plan approval and lakefront protection approval through the Chicago Plan Commission for a new mixed-use medical building encompassing medical office space, cancer care, supporting retail, and parking. Secured approvals over significant community opposition, including extensive litigation.
- Resurrection University: Representing client in land use and zoning matters related to the relocation of a School of Nursing from a suburban to an urban location within Chicago. This project involves two components: 1) a tax increment financing (TIF) Term Sheet and Redevelopment Agreement; and 2) zoning approvals relating to the parking ratio, a fence setback, and landscaping.
- Casa Scalabrini Village: Assisted client in dedicating a street adjacent to the facility to the city of Northlake, IL.
- West Suburban Medical Center: Represented hospital in obtaining land use approvals for new Emergency Department, including rezoning, street and alley vacations, and historic approvals.
- Bethlehem Woods: Assisting client with a joint Planned Unit Development zoning application, as well as a reciprocal easement and operating agreement. The three parties involved are Bethlehem Woods, the Sisters of Saint Joseph, and Nazareth Academy. One party is seeking an easement to build a road, while Nazareth Academy proposes to build a tennis court and softball field. All parties share the roadway and utilities.
- Presence Saints Mary and Elizabeth Medical Center: Obtained planned development approvals for major Emergency Department expansion. Secured site plan approval for new Cancer Care Center relocation at Saints Mary and Elizabeth Medical Center. Obtained Skybridge Easement Agreement approvals for pedestrian overpass.
- Resurrection Medical Center: Obtained site plan approval for five-story patient care addition. Obtained planned development for major hospital expansion, including medical office building and five-story parking structure (Talcott). Obtained planned development for 162-bed nursing care facility for Sisters of the Resurrection and other religious orders. Assisted with approvals for new signal and intersection design at Talcott and Oketo.
- Our Lady of the Resurrection Medical Center: Obtained public way approvals for skybridge over Addison Street, campus expansion, planned development, and alley vacation. Obtained planned development approvals for a new Emergency Room and expansion and alley vacations (1995).
- Holy Family: Coordinated negotiations with IDOT in defense of condemnation. Resulted in preservation of over 1,000 linear feet of parking spaces.
- River Forest: Represented client in connection with tax consolidation.
- 7126 LINCOLN AVENUE: Conducted zoning analysis for property. Assisted with zoning code amendment regarding sleep center.

- UL Standards & Engagement, Inc.: Obtained precedent-breaking signage approvals for headquarters for USLE.
- West Suburban Medical Center: Represented hospital in obtaining land use approvals for new Emergency Department, including rezoning, street and alley vacations and historic approvals.
- Resurrection Medical Center: Obtained numerous planned development approvals for major hospital expansion, including medical office building and five-story parking structure, five-story patient care addition, and numerous other improvements, over a 20-year span.
- Our Lady of the Resurrection: Obtained planned development approvals for a new Emergency Room, skybridge over Addison Street, campus expansion, and alley vacation.
- Conference Point: Assisted client in resolving zoning conflicts and obtaining land use approvals for youth camp in Lake Geneva, WI area.

## **Retail Projects**

- Old Orchard Shopping Center (Westfield/URW): Since 1991, obtained numerous zoning, site plan, special use and Appearance Commission approvals at Westfield Old Orchard, including large-scale demolition and redevelopment work throughout the center, including numerous redevelopments of the shopping center, spanning 30+ years.
- JMB Financial Advisors, LLC: Obtained signage and public way approvals for a new tenant signage, remodeled signage and façade updates, and provided legal assistance for property at 900 N. Michigan Avenue.
- Brookfield Retail Properties (formerly General Growth Properties): Represented Water Tower Place in connection with numerous signage, zoning, public way, and governmental approval matters, including obtaining approvals for American Girl's move to Water Tower Place and the new Uniqlo at 830 N. Michigan. Represented client in urban infill land assembly project with zoning, tax increment financing, City of Chicago negotiated sale of municipal property.
- American Girl: Obtained zoning and public way approvals for alterations to Water Tower Place to accommodate new flagship retail/restaurant facility.
- The Macerich Company: Represented client in obtaining public way approvals for The Shops at North Bridge.
- Aldi: Obtained rezoning, alley vacation and dedication, and administrative approvals for new grocery store at Harlem and Archer. Assisted with Special Use approval for a replacement grocery store in the Garfield Ridge neighborhood of Chicago.
- Wendy's Restaurants: Obtained Special Use approvals and provided legal assistance for restaurants at 3610 N. Western, 147 S. Western, 6324 N. Western, PD 1198 (42nd and Pulaski), 4404 N. Pulaski, 5701 S. Kedzie, 7015 S. Western, 5472 N. Harlem, 5679 S. Archer, 1623 W. Division, 2053 W. Lawrence, 2312 N. Ashland, 3515 E. 188th, 4901 W. North, and 8645 S. Stony Island (City of Chicago).
- Burger King/Tri-City: Assisting client in obtaining special use approvals for renovated Burger King restaurants in Chicago.
- Portillo's: Obtained special use for new drive-through restaurant in South Loop (Taylor and Clinton).

- Penske Corporate: Providing legal counsel on proposed rezoning and special use designations in TIF district in Chicago Ridge, IL.
- Church Point: Obtained Site Plan Approval for renovation of Church Point shopping center in Skokie, IL.
- Federal Construction: Assisted client toward seeking approvals for Prairie View shopping center in Morton Grove, IL.
- Crate & Barrel: Negotiated zoning approvals for new photo/video studio.

### **Residential/Senior Housing**

- Albion Residential: Obtained Planning Development approvals for new 15-story, 273-unit mixed-use development in downtown Evanston. Assisted in obtaining zoning approvals for new 18-story, 265-unit residential development in Oak Park.
- Connections for the Homeless: Obtained zoning approvals to permanently authorize a homeless shelter in Evanston, IL, in a former near-vacant hotel.
- Penobscot: Providing zoning/land use and signage-related counsel to property managers of Village in the Park and Remington Place located in Schaumburg, IL.
- Chicago Senior Care: Received planned development administrative approvals for modifications to The Clare (Pearson/Rush).
- Franciscan Village: Obtained all zoning approvals for continuing care facility, including annexation and zoning approvals.
- Sunrise of Palos Park: Obtained all zoning approvals for assisted living facility over significant community opposition.
- Mather: Represented Evanston senior housing provider in connection with zoning and licensing issues in Chicago related to Mather's—More Than a Café.
- The Clare: Received planned development administrative approvals for modifications to The Clare (Pearson/Rush).
- Sisters of the Resurrection: Obtained planned development for 162-bed nursing care facility for Sisters of the Resurrection and other religious orders.
- American Senior Housing Association: Worked on issues related to the Fair Housing Act and monitoring proposed changes to the federal regulations implementing same.

### **Awards and Recognition**

- Selected for inclusion in numerous *Illinois Super Lawyers*® lists
- Selected for the list of *Leading Lawyers* in the area of land use, zoning and condemnation law
- Selected by her peers for inclusion in *The Best Lawyers in America*© since 2011 in the field of Land Use and Zoning Law
- Recognized by *The Legal 500* for her work in real estate
- In 2016, her client, The Talking Farm, was awarded the 2016 American Planning Association – Illinois Chapter Sustainability Award

- Peer Review Rated as AV Preeminent®, the highest performance rating in the *Martindale-Hubbell®* Peer Review Ratings™ system\*

## Community Involvement

**Donna maintains an ongoing commitment to pro bono legal services, with Foley & Lardner's constant support, by actively donating time to charitable, educational and not-for-profit organizations. Representative matters are listed below:**

- Connections for Abused Women and their Children (CAWC) (shelter and community center in Chicago's Garfield Park neighborhood that will serve women and their children fleeing domestic violence)
- Hopewell Missionary Baptist Church (new community center in Chicago's West Englewood neighborhood will serve young mothers and unwed pregnant women in providing them the support and resources they'll need)
- Covenant House (community center and transitional residence for homeless youth on Chicago's West Side)
- Breakthrough (transitional housing shelter, employment services, a fresh food market, and other homeless intervention services)
- Grace & Peace Community Church (new charter school, community facility, and a worship center)
- The Talking Farm (two acre urban farm that grows fresh produce applying sustainable agricultural practices, and offers a variety of education programs)

## Presentations and Publications

- Co-author, "[Cloudy Trends Ahead: What We Can Learn from Illinois' Far-Reaching, State-Level Zoning Protections for Solar Farms](#)," State & Local Law News (2024)
- Foley Land Use Luncheon: "Revitalizing Commercial Corridors: Three Initiatives (Michigan Ave; Downtown Evanston; and LaSalle Street)" (Spring 2023)
- Foley Land Use Luncheon: "Energy Revolution: How Building Owners Can Prepare for the Age of Climate Change" (Fall 2022)
- Presenter and organizer, "Nuts and Bolts of Land Use Law and Zoning," Land Use Law in Illinois in 2022 – Illinois Institute for Continuing Legal Education (June 2022)
- Co-author, "[New Chicago Air Quality Zoning Ordinance Adds Environmental Review Process; Public Participation Requirements](#)," The National Law Review (April 30, 2021)
- Moderator, "Development and Displacement in Chicago Neighborhoods – Pilsen Case Study," Foley & Lardner LLP (February 2019)
- Moderator, "An Inflection Point in Land Development? Private and Public Conditions Considered," Kratovil Conference on Real Estate Law & Practice, The John Marshall Law School (October 2018)
- Moderator, "Moving Around the City of the Future: Understanding How Changes to Transportation Patterns Will Affect Land Use," Foley & Lardner LLP (September 2018)

- Moderator, “Amazon and Beyond: Business Relocations and Urban Development,” Foley & Lardner LLP (March 2018)
- Moderator, “Zoning & Land Use 101 – Series: Cross-Fit Training for Business Lawyers,” Financial Poise (February 2018)
- Co-author, “Ezell v. City of Chicago: Resolving the Tension Between Zoning of Shooting Ranges and the Second Amendment,” Illinois State Bar Association’s Section of Local Governmental Law, Vol. 54, No. 1 (September 2017)
- Co-author, “Intergovernmental conflict: Ambiguity in the codification of Gurba,” Illinois State Bar Association’s Section on Local Government Law, Vol. 53, No. 6 (February 2017)
- Co-author, “Walking a Tightrope: Navigating Panhandling Regulation in Light of Reed v. Gilbert,” Illinois State Bar Association’s Section on Local Government Law, Vol. 53, No. 2 (August 2016)

## Leadership Positions

- American Bar Association Section of State and Local Government Law (2009 – 2010, 9,000 members), Past Chair
- Lambda Alpha Honorary Land Economics Society (Chicago Chapter), Past President
- International Council of Shopping Centers (ICSC), Past Chair, Central Division Government Relations Chair
- The Magnificent Mile Charitable Foundation, Chair of the Board
- Near South Planning Board, Board Member and Co-Chair of Project Review Committee
- The University of Illinois-Chicago School of Law (formerly The John Marshall Law School), Former Adjunct Professor of Land Use Law
- Chicago Bar Association, Local Government Committee, Past Chair
- Women in Planning & Development, Past President

## Sectors

- [Cannabis](#)
- [Carbon Capture](#)
- [Energy & Infrastructure](#)
- [Energy Transition](#)
- [Oil & Gas](#)
- [Power & Renewables](#)

## Practice Areas

- [Corporate](#)
- [Economic Development & Government Incentives](#)
- [Post-Acute Care & Senior Housing](#)
- [Real Estate](#)

## **Admissions**

\* The Illinois Supreme Court does not recognize certifications of specialties in the practice of law and no award or recognition is a requirement to practice law in Illinois.