

KATE DUNCAN

'Zoning Nerd' Skills Shoot Ever Higher

by Suzie Gutierrez

Chicago hails as the birthplace of the skyscraper, and real estate attorney Kathleen A. Duncan considers herself fortunate to have had a hand in shaping one of the world's greatest skylines.

A partner at Akerman LLP, Duncan works out of the Chicago office with a team of seasoned attorneys in the firm's real estate, land use and development practice.

A self-proclaimed "zoning nerd," Duncan says her job provides a perfect mix of lawyering and lobbying. And in a place like Chicago, where the zoning code can be maddeningly filled with detailed regulations, Duncan seems to have the necessary patience to really get it.

"Zoning comes easy to me. And the opportunity to work with so many different parties involved in the planning process, well, I have developed a real passion for this," Duncan says.

So, having built a reputation for providing trusted legal counsel in this particular area of real estate law, Duncan has had the distinct pleasure to have worked on some of the high-profile developments that have contributed to the Windy City's current vertical growth spurt.

HIGH-PROFILE PROJECTS

The Akerman Chicago team specifically has served a vital role in several urban development projects relating to the city's Lakeshore East LLC, a \$4 billion, 28-acre development in downtown Chicago.

Most recently, Duncan has applied her zoning acumen to gaining city approval on a \$1.1 billion project to build three towers on the eastern edge of Lakeshore East. The towers would combine for 1,700 residential units and 30,000 square feet of retail space on a 171,000-square-foot property overlooking Lake Shore Drive. The tallest would rise 950 feet and would be the last to be built.

For this particular Lakeshore East project, sometimes dubbed the "IJKL project," Duncan's role involved a planned development amendment process. Part of the plan included a large, publicly accessible park that runs along the south boundary of the property. Numerous infrastructure and community improvements



in the surrounding area were incorporated into the plan as a result of extensive meetings with the local alderman and multiple community stakeholders.

"This was a massive project that required a great deal of attention to detail and a huge amount of preparation and work, and it took nearly two years to complete the zoning process," says Duncan.

"Completion of the zoning for this project was a tremendous accomplishment, and I felt so proud and honored to have been a part of this great venture."

Another Lakeshore East landmark development Duncan worked on involved a highly complex land entitlements approval process for the construction of the 1,200-foot Wanda Vista Tower.

Claiming title as Chicago's third tallest building, this riverfront project designed by architect Jeanne Gang and developed by Magellan Development Group features 192 hotel rooms and 396 private condominiums priced between \$1 million and \$18 million. It is slated to open in the spring of 2020.

Both Lakeshore East projects included not only an amendment to the existing planned development but also an amendment to the existing Lakeshore East Master Plan, an approval under the Chicago Lakefront Protection Ordinance, the vacation and dedication of public rights of way and air

rights, along with various easements for a new roadway system.

And garnering community support on projects of this scope can take a great deal of finesse, which Duncan says means having all your ducks in a row to fully address all the issues the residents and their leaders bring forth.

"There have been many times when a project becomes a better project as a result of what was initially an adversarial reaction from a community," says Duncan. "When a client truly listens to the community and tries to understand the concerns they are raising, sometimes the outcome is a project that not only responds to these concerns but is ultimately a better project for the client."

Duncan says preparedness is the key to achieving positive outcomes. And she gives the same measure of service to all her clients, large or small.

"I want to achieve the best results for my clients whether it is a large flashy high rise or a small socially important project. They all hold the same value to me and require the same level of work," she says.

While working on the IJKL project, Duncan and her team were equally focused on a task to help create a home for displaced Central American teenage girls who had crossed the border without supervision. This home, run by Maryville Academy, offers respite to these young girls while they look for relatives living

on this side of the border.

“We worked to obtain a special use at a former convent to repurpose it for housing these young girls,” she says. “These are girls who are detained by the federal government and who are in the care of the government as they await resolution of their immigration court cases.

“Politics aside, young, vulnerable children should be treated with dignity and compassion, and to see that Maryville was working so hard to care for these children made working on this type of project feel just as rewarding as working on a project like IJKL.”

FOLLOWING A MENTOR

It was precisely this keen sense of compassion coupled with her strong work ethic that captured the attention of fellow Akerman partner John “Jack” George 16 years ago when Duncan came into his old firm Daley & George looking for a clerkship position.

“I didn’t know her at all when she came in for her interview. Having had the pleasure of working with her for the past several years, I’ve come to know her not only as an excellent attorney but as one of the finest people I know,” says George. “To me, she represents the best there could be. You couldn’t ask for a better lawyer or a better friend.”

Having served as a former assistant attorney general for the state of Illinois and as assistant corporation counsel for the city of Chicago, George has made a name for himself in all matters of real estate, land use and zoning law. As a named partner at Daley & George, George helped guide his young protégé.

“When I got the job clerking with Jack and after having worked with him, I just fell in love with the job,” says Duncan. “I credit Jack for my success in many ways. If it wasn’t for Jack, I’m not sure if I would have found my work quite as fulfilling and rewarding as it has been.”

Learning the ropes as a law clerk to George, Duncan then followed him to Schuyler Roche & Crisham where she was named partner in 2014. In 2017, she followed him to Akerman.

While she has worked in three different law firms over the span of her 16-year career, George has been a constant for her. She followed George to Akerman, knowing their clients would benefit from the move.

“Akerman is a nationally recognized real estate development law firm, and Jack George is a leader in land use and zoning law, so our clients recognize this,” says Duncan. “While it may look like I’ve moved around some, in my mind I always felt consistent in my work having followed Jack throughout my career. I go where Jack goes and, of course, so do our clients.”

When George made the move to Akerman, he not only brought Duncan but he also added Chris Leach from Schuyler and his daughter, Meg George from Neal & Leroy LLC.

Sean P. Linnane, executive vice president at Magellan Development Group, has relied on this pool of legal professionals since George was at his own firm.

Magellan Development Group is a Chicago-based real estate development company, specializing in urban core, residential and mixed-use high-rise projects.

“While our projects are in major markets across the United States, much of our work is concentrated in Chicago,” Linnane says. “Jack and Kate have been handling all our entitlement work for all our Chicago projects. The team is so valuable to us that we have unquestioningly followed them for their occasional moves to a new firm.”

Linnane says Magellan has come to rely on not only this legal team’s ability to build trusting relationships at the highest levels of city government but also on their thorough understanding of zoning restrictions and policies.

“**What I love about her is you can tell when someone just gets it. And she gets it. She exudes substance and humility.**”

“The downtown real estate development business is highly dependent on navigating local politics,” says Linnane. “Kate and her team have proven to be adept at all aspects. While we work with her on every project in Chicago, our recent experience on the entitlements for our now under-construction Cirrus and Cascade projects (I/J and K/L development) was the epitome of a long and arduous process with a successful resolution. This was only possible thanks to the hard work, diligence and guidance from Kate and her team.”

But Duncan credits George as being the driving force behind her many achievements.

“Jack has been an amazing mentor, and I would argue he is the best at what he does in the field,” says Duncan. “If it weren’t for Jack, I’m not sure I’d have the same sort of fervor I do. He helped to ignite my excitement and ignite my passion for what I do.

“He does everything so well and with such class. His high integrity is displayed in everything he does,” she says.

Duncan never would have had the good fortune of meeting George if not for joining

the sorority Kappa Kappa Gamma while attending Butler University.

“I was in my last year at law school, so I contacted a woman who had been in the same sorority but at a different school who had worked with Jack. I called her and asked her if he needed anyone to clerk for him,” says Duncan.

“She said that, as it happened, she was moving to Indiana and the position would be available. So, I contacted Jack and that’s how I got the job.”

Duncan has always let fate be her guide. When she was studying history and English at Butler, she didn’t really know what she would pursue as a career. Spending her junior year abroad in Cork, Ireland, seemed to be her time for self-discovery.

“My mom and dad called me while I was in Cork and said ‘You know you’re in your third year of college? Have you given any thought to what you want to do with your future?’ And then it donned on me that maybe I should go to law school,” Duncan says.

“So, I decided that when I came back to the states, I would sign up for the LSAT prep course. If that went well, I would take the test and apply for the law schools I was interested in attending.”

While attending John Marshall Law School, she decided to delve into property law.

“I thought what I would do is see what classes came easily for me and then move in that direction,” she says. “I’m a religious person, and I feel that my path unfolded before me.”

RECOGNIZED BY COMMUNITY LEADERS

Duncan realized her professional experience could be of benefit to her community of Barrington Village, so she decided to serve on the village’s plan commission and zoning board of appeals.

During her interview for the board, Barrington Village Trustee Jason Lohmeyer suggested she run for trustee.

“As I thought about it, I saw it as a way to give back to the community,” says Duncan. “I feel I am a person who is trustworthy and has good judgment, so I thought it would be a good opportunity to use some of my strengths for the good of the community.”

Lohmeyer says Duncan impressed him as “an exemplary person,” and she seemed to “ask all the right questions.” So, he thought she could do even more for the community by serving as a trustee.

“She has a true north. You can trust her judgment. She is willing to listen and do the right thing,” says Lohmeyer. “What I love about her is you can tell when someone just gets it. And she gets it. She exudes substance

and humility, and that's a great combination.”

A resident of Barrington for nearly 15 years, Duncan wanted to be involved in the community but had never really thought about running for a political office.

“It was strange to drive around the neighborhood and see my name on signs in people's yards.”

She is eager to get involved with the village's master plan as well as economic development, particularly in downtown Barrington.

“There is an amazing staff and a great sense of community, so I find it extremely rewarding,” she says. “If you find things you're passionate about, it is easy to do them.”

“They say it takes a village and, for us, it is so true. We all work together to help raise our children and provide the best life we can for them.”

SETTING PRIORITIES

One need only take a page from the Duncan work-life balance playbook to see how seamlessly she manages to blend homelife and career. But she is the first to admit that it isn't all it appears.

“Honestly, I have a very hard time with the work-life balance concept,” says Duncan. “I used to think so much about trying to achieve balance, and then I realized it was never going to happen. Rather, I try to embrace what is in front of me and try my best to prioritize the most important thing.”

Aside from the challenges of being a partner in a high-powered law firm, Duncan, who is now 41, juggles the responsibilities of being a mother to two children, Liam, 12, and Claire, 6. She also is a Crossfit enthusiast getting up at the crack of dawn to work out with some of her fitness compatriots.

“I have a wonderful gym with a nice community of people that goes beyond just a workout. It's really more of a social experience,” she says.

She couldn't handle all of this without the backing of her husband Lee.

“He is a supportive partner, and we make a great team.”

George has an explanation for Duncan's sustainability.

“Kate knows how to prioritize. She knows that family comes first, but she also has a really strong work ethic and is dedicated to her work,” says George.

“She still has a knack for doing it all, and she does a good job at all of it. It's all about her attitude. She has such a good attitude about her work and her life, and you see that in everything she touches.” ■