



Mitchell A. Carrel

Partner | Chicago

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Areas of Practice

Real Estate Law | Zoning, Planning and Land Use

Mitchell Carrel is a Partner in the Real Estate Practice of Smith, Gambrell & Russell, LLP. Mr. Carrel was a Partner at Freeborn & Peters, which combined with SGR in 2023.

Mr. Carrel's practice focuses on representing public and private companies, land owners, developers and investors and helping them secure land use and zoning approvals, public incentives, local regulatory and siting approvals, as well as performing zoning due diligence. Among Mr. Carrel's projects, he has helped obtain numerous approvals for the data centers, underground fiber optic conduit paths and for the siting of wireless communications facilities and has written about the process from siting to completion. He frequently represents clients before local plan commissions, zoning boards and city councils.

Mr. Carrel previously acted as an interim national land use attorney for Clear Channel Outdoor America's during its digital board transformation. Before joining Freeborn (now SGR), he was a shareholder and led the Land Use Group at Vedder Price PC in Chicago. He is also a Co-Founder of Proxfinity, an award-winning Chicago-based data and technology company.

Mr. Carrel received his B.S. from Miami University and his J.D. from Michigan State University College of Law, *cum laude*.

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Representative Experience

- Represented a national railroad company with the oversight of entitlements and street vacation matters to ensure rail operations were not impeded or negatively impacted, as part of a sale of air rights over existing rail operations, allowing for a 750-foot-tall office building to be constructed in downtown Chicago.
- Represented developers and operators of numerous market rate and affordable senior housing developments, including assisted living facilities, supportive living facilities, and memory care facilities regarding land use, street vacations and other related approvals in the Chicagoland area.
- Represented the purchaser with the acquisition of a 27-story, Class A, mixed-use office building with respect to land use and zoning due diligence in Chicago's Central Business District.
- Represented the owner and developer in land use and related due diligence in connection with proposals for a 2,000-foot tall, \$1.5B project in Chicago's Streeterville neighborhood.
- Collaborated and negotiated with City of Chicago government officials to draft and develop the first data center dark fiber conduit path use agreement, allowing private infrastructure under Chicago's public ways.
- Represented a data center owner and operator in securing Chicago City Council approvals to allow the placement of multiple fiber conduit paths beneath Chicago's public streets and rights-of-way, strategically and efficiently enabling building tenants' turnkey access to their preferred network providers.
- Obtained numerous entitlement approvals including planned development, Lake Michigan and Chicago Lakefront Protection Ordinance approvals, in addition to financial incentives, to redevelop 350 East Cermak Road into Chicago's first carrier hotel/data center. This 1.1M square foot facility is one of the most important and largest multi-tenant data centers in the world.
- Collaborated with the City of Chicago's government to amend the Chicago Zoning Ordinance, creating a zoning category that permits data centers to operate.
- Represented clients with land use and public waivers and approvals in various projects involving high-rise, mixed-use properties on Chicago's "Magnificent Mile".
- Represented a youth sports academy, sponsored by two major Chicago sports teams, with land use and related approvals in the Chicago suburbs.
- Represented a manufacturing client in the western suburbs of Chicago in land use approvals of their approximately 400,000 square foot facility.
- Represented numerous Chicago hospitals in expansion projects involving land use, public way and other related approvals.
- Represented numerous high-rise buildings in downtown Chicago with public way approvals.
- Represented numerous Chicagoland shopping centers in expansion projects involving land use, zoning and public way approvals.

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- Represented numerous grocery stores in the Chicagoland area with various projects involving land use and related approvals.
- Represented a food-related company in connection with a drive-through coffee facility on Chicago's north side.
- Represented numerous dialysis centers throughout Chicago with approvals related to land use.
- Advised and counseled numerous clients regarding Chicago's shared housing ordinance.
- Represented numerous shopping centers in the Chicagoland area with approvals for renovations and additions.
- Obtained Chicago City Council approvals to allow a developer of underground conduits to locate an underground fiber conduit path beneath Chicago's Busway Project.

Admissions

Illinois

United States District Court for the Northern District of Illinois

Memberships

- Commissioner, Glencoe Preservation Commission
- Former Member, The Magnificent Mile Association's Project Review Committee
- Former Secretary, Treasurer, VP Membership, VP Communications and Board Member At-Large of the Board of Directors, Ely Chapter, Lambda Alpha International, an honorary land economics Society
- Chairman of the Board and Co-Founder, Proxfinity, Inc.
- Former Member, American Bar Association, Section of State and Local Government Law (Former Vice-Chair/ Membership Outreach of the Land Use Planning & Zoning Committee; Former Co-Chair of the Telecommunications & Land Use Planning Subcommittee)

Recognitions

Chambers-USA Guide to America's Leading Lawyers for Business - Real Estate: Zoning/Land Use - 2023 (cited in multiple years)

Leading Lawyers Magazine - Top 10 Land Use & Zoning Lawyers in Illinois - 2016-2020

Leading Lawyers Magazine - Top 100 Real Estate Related Lawyers in Illinois – 2016; 2019

Leading Lawyers Magazine - Land Use, Zoning & Condemnation Law; Real Estate Law: Commercial – 2020

Super Lawyers - 2005; 2009 - 2014

Illinois Leading Lawyers - 2020 (cited in multiple years)

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Publications

- Moderator, "Up-Close with the Illinois Data Center Coalition - Public/Private Partnership," Bisnow's Third Annual Data Center Investment Conference & Expo Midwest (September 2019).
- "Data Center Site Selection: "Cost of Land and Power, Economic Incentives and More," Bisnow's Second Annual Data Center Investment Conference & Expo Midwest (August 2018).
- "Chicago's Hottest Submarkets: Hotbeds of Development and Suburban Demand," Bisnow Event (April 2018).
- "Tasty Trade's," Bootstrapping in America (March 2018).
- "Data Center Site Selection: Big Picture Strategy, Cost of Land & Power, Economic Incentive and Beyond," Bisnow's Data Center Conference and Expo Midwest (August 2017).
- "Development Trends and Projects," BISNOW Development and Construction Event (August 2016).
- "State of the Illinois Incubation Movement," Illinois Incubator Conference, (June 2016).
- "Credits and Incentives for Manufacturers and Distributors," 2014 Manufacturing & Distribution Executive Summit (November 2014).
- "Land Use Issues in Real Estate Transactions," Practising Law Institute's 15th Annual Commercial Real Estate Institute (October 2013).
- "Future-izing Your Food Facility: Factors, Forces and Financing," webinar (October 2012).
- "Illinois Land Use Issues in Real Estate Transactions," 15th Annual Commercial Real Estate Institute, Volume Two, 2013. (Chapter 23).
- "Amended Affordable Housing Regulations."
- "Alice in Towerland: Judicial Review of Land Use Decisions on Cellular Telecommunications Facilities," *The Urban Lawyer*.
- "Disguised as a Tree: Judicial Review of Land Use Decisions on Cellular Telecommunications Facilities," *The Urban Lawyer*.
- "Tell Me What You Really Think: Judicial Review of Land Use Decisions on Cellular Telecommunications Facilities," *The Urban Lawyer*.
- "Delaney's Semi-Scientific Test & Other Adventures in Cellular Networks & Land Use Under the Telecommunications Act," *The Urban Lawyer*.
- "Sprouting Towers: Resolving the Struggle Between Cellular Towers and Nature Under the Telecommunications Act," *The Urban Lawyer*.
- "Attention Owners and Operators of Surface Parking Lots."

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- "Patchwork Quilts, Bumblebees and Scales: Cellular Networks and Land Use Under the Telecommunications Act," *The Urban Lawyer*.
- "Twin Towers: The Developing Split in Interpretations of Facility Siting Law Under the Telecommunications Act," *The Urban Lawyer*.
- "Railroad Tracks by Walden Pond: The Ongoing Struggle Between Towers & Providers Under the Telecommunications Act," *The Urban Lawyer*.
- "Hot Topics in Land Use Law" (Chapter 5).
- "Tower of Babble: The Continuing Struggle Over Wireless Siting Issues Under the Telecommunications Act," *The Urban Lawyer*.