Land Use Commission

1811-1815 Church Street
Major Variations
22ZMNV-0092

Recommending Body

Memorandum

To: Chair and Members of the Land Use Commission

From: Michael Griffith, Planner

CC: Sarah Flax, Interim Director of Community Development
Elizabeth Williams, Planning Manager

Subject: Major Variations
1811-1815 Church Street, 22ZMJV-0092

Date: February 16, 2023

Update
Following the February 8, 2023, Land Use Commission meeting, the applicant provided updated plans, dated February 10, 2023. The updated plan includes the following changes:

- A 2.5' rear setback provided off the north property line to widen alley access (public notice indicated a proposed 0' rear setback).
- Removed planters from the front of the building.
- Created a 1" offset from the neighboring building to the west.
- Updated west elevation to show brick wrapped around the west side of the building.
- Updated unit size and layouts based on new dimensions.

The memo has been updated to reflect the items noted above, corrections made, and additional details provided, including:

- Corrected the recommending body and determination body note.
- Corrected unit mix and count previously noted in memo
- Corrected retail square footage previously noted in memo
- Added proposed electric vehicle charging stations details.
- Updated Parking Services comment regarding the proposed on-street loading zone.

Request
The applicant applies for the following Major Variations from the Evanston Zoning Code:

1. Reduce the required front yard build to zone from 5'-10' to 0',

2. Reduce the required west and east interior side yard setbacks from 5' to 0',
3. Reduce the required rear yard setback from 5' to 2.5',
4. Increase the maximum permitted impervious surface coverage from 90% + 5% semi-pervious surface area to 99.7% of lot area,
5. Increase the maximum permitted building height from 3 stories and 47' to 5 stories and 57.7',
6. Eliminate the required 8' ziggurat setback at the 3rd story, and
7. Eliminate the required one short loading berth.

The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Zoning Code Section 6-3-5-9, and Ordinance 92-O-21.

Notice

The Application has been filed in conformance with applicable procedural and public notice requirements including publication in the Evanston Review on December 22, 2022.

General Information

Applicant:	Richard Koenig, Executive Director Housing Opportunity Development Corporation (HODC) 5340 Lincoln Avenue Skokie, IL 60077
Owner(s):	Mt. Pisgah Ministry, Inc. 1813 Church Street Evanston, IL 60201 City of Evanston 2100 Ridge Road Evanston, IL 60201
Existing Zoning:	B2 Business District oWE West Evanston Overlay District
Existing Land Use:	2-story building at west end and open parking at northeast corner of development site
Property Size:	Development site: 28,950 square feet (0.66 acres) HODC site: 16,914 square feet (0.39 acres)
PINs:	10-13-220-031-0000, 10-13-220-032-0000, 10-13-220-040-0000, 10-13-220-041-0000, 10-13-220-035-0000

Surrounding Zoning and Land Uses	Zoning	Land Use
North	R4 General Residential District	Dwelling - Single-family detached
South	B2/oWE Business District/West Evanston Overlay District and R4/oWE General Residential District/West Evanston Overlay District	Industrial, Office, Religious Institution, Dwelling - Multiple-family
East	MXE Mixed-Use Employment	Commercial
West	B2/oWE Business District/West Evanston Overlay District	Office/commercial, and Dwelling - Multiple-family (above ground floor)

Analysis

The development site, 1801-1815 Church Street and 1708-1710 Darrow Avenue, located at the northwest corner of Church Street and Darrow Avenue, includes two separate proposed developments and includes parcels owned by the City of Evanston and Mt. Pisgah Ministry, Inc.:

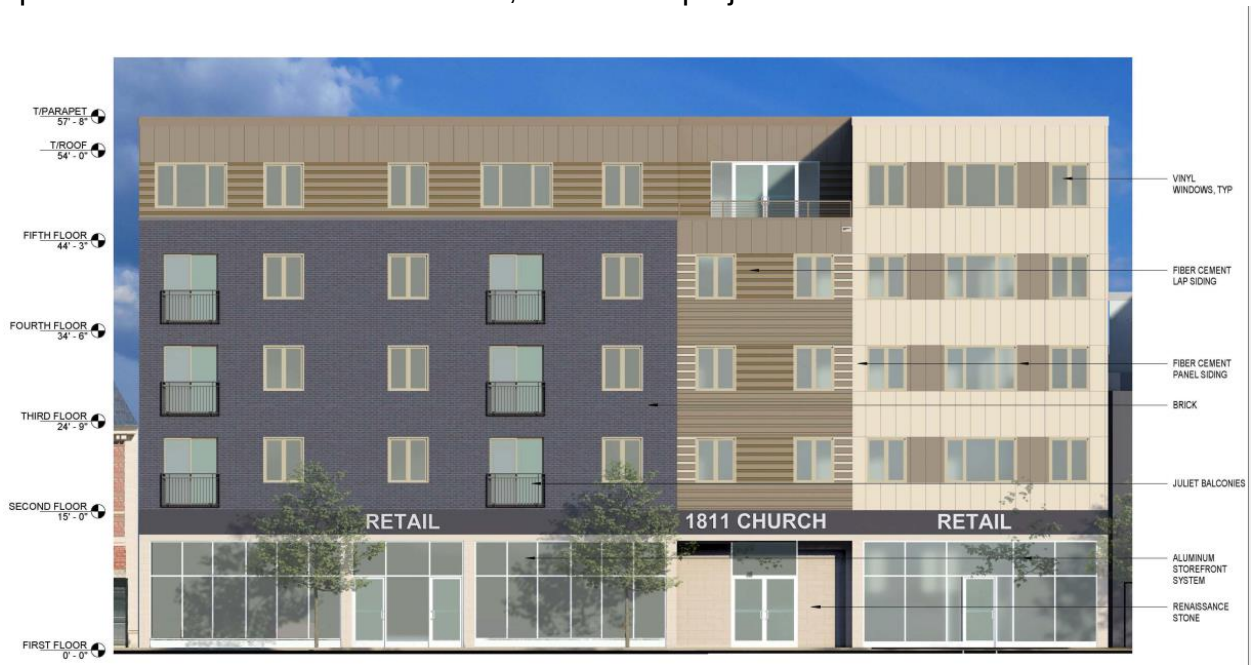
- 1801-1805 Church Street: Located at the east side of the site at the corner, Mt. Pisgah project.
- 1811-1815 Church Street: Located at the west side of the site, HODC project.

The majority of the development site is vacant, except for a 2-story building at 1813-1815 Church Street which currently houses Mt. Pisgah Ministry and open parking at the northeast area of the site. Property lines need to be adjusted to accommodate both projects. A plat of subdivision is proposed creating two lots, the east lot will contain the proposed Mt. Pisgah project and the west lot will accommodate the proposed HODC project. Both lots are zoning compliant regarding lot size and lot width. A plat of subdivision requires City Council approval (does not require Land Use Commission review).

Below is an image with the development site marked by a solid orange line, the dashed orange line is the approximate location of the new property line with the HODC project site on the west side:



This memo focuses on the proposed development of a new 5-story mixed-use building with ground floor retail, 44 dwelling units above, 46 on-site vehicle parking and 26 bike spaces at 1811-1815 Church Street, the HODC project.



South building elevation/rendering - 1811-1815 Church Street - HODC

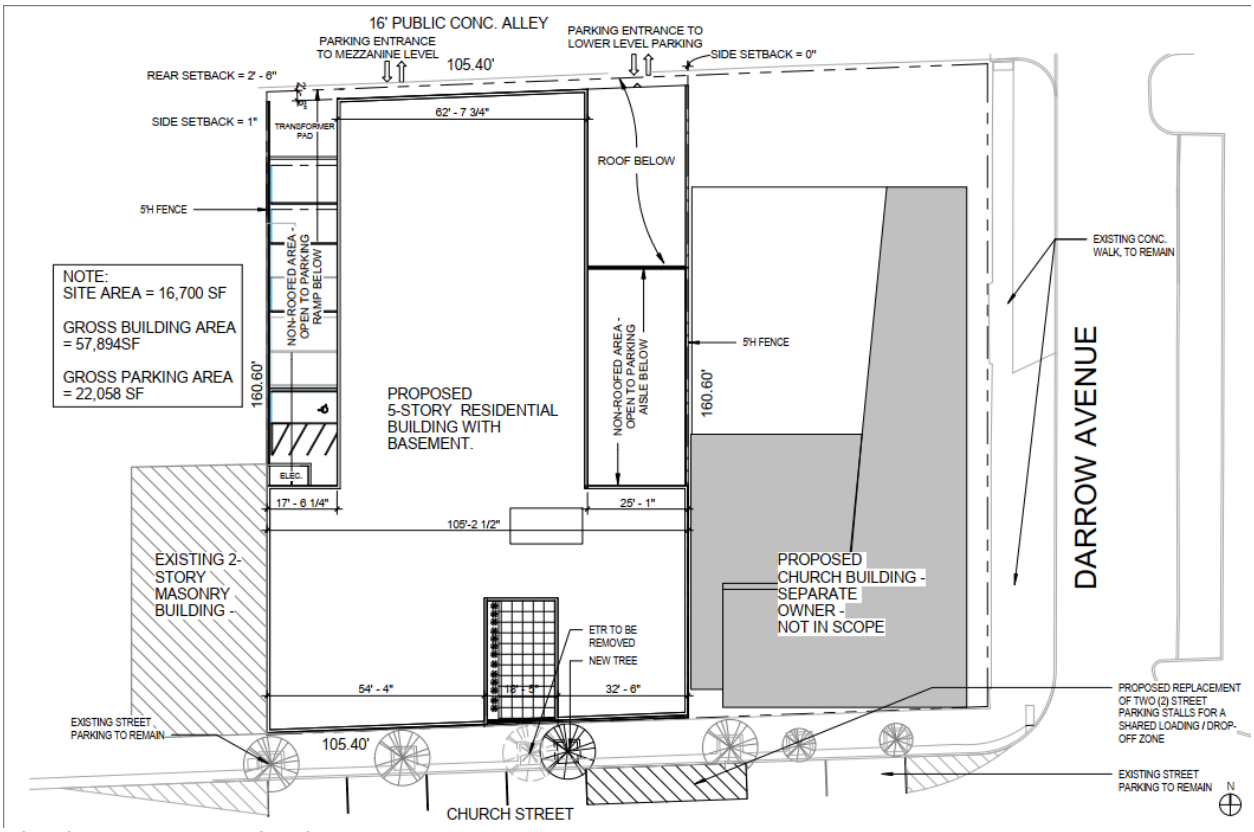
The site is located within the B2 Business District, oWE West Evanston Overlay District, and WE7 District within the West Evanston Zoning Overlay for Redevelopment Areas. The WE7 District allows for the development of mixed-use building types to include ground floor retail and residential on upper floors.

Where conflicts exist between the B2 district and the oWE district regulations, the oWE regulations shall control. All variations from the oWE regulations follow the procedures and standards for variations provided for in Section 6-3-8 - Variations.

Existing land uses within the vicinity of the site include a mix of single-family detached and multiple-family dwellings, office (including dental/medical), retail services, religious institutions, a community cultural center (Gibbs-Morton Cultural Center), light industry, and Evanston Township High School. Existing nearby buildings range between 1 to 2-½ stories in height.

The ground floor of the proposed building occupies the entire site with the upper floors forming an upside down “T” shape setback from west and east interior side property lines.

The lower level provides parking, bike and storage rooms. The ground floor includes approximately 3,537 square feet of retail space, the residential entry and lobby, a trash room, and parking. Floors 2-5 are residential and common areas, including: office, laundry, library, and lounge space. The trash room provides space for recycling and composting service. Trash chutes on the residential floors are for refuse only. Tenants will need to take their recycling and composting materials down to the trash room.



Site plan - 1811-1815 Church Street - HODC

The new building provides 44 dwelling units with the following dwelling unit mix:

1-bedroom dwellings:	13
2-bedroom dwellings:	20
3-bedroom dwellings:	11
Total:	44

All dwelling units are intended to be affordable and comply with the City's Inclusionary Housing Ordinance.

Forty-six off-street parking spaces (including 9 ADA accessible spaces) are proposed where 44 spaces are required (2 ADA spaces required). The plan includes 5 electric vehicle charging stations with one of those located at an ADA parking space. Parking is accessed off the alley. The bike room located on the lower level provides space to store/park 26 bikes.

One off-street loading berth is required; however, the applicant is requesting a variation to eliminate this requirement. The applicant proposes converting 2 of the 8 existing on-street parking spaces along Church Street into an on-street loading/drop-off zone to be

shared with HODC. If the variation is granted, the on-street loading zone details require Parking Services and Public Works Agency approval.

The attached zoning analysis report shows how parking and loading requirements were determined.

Within the oWE overlay district, there are no minimum lot size and width, no maximum density, Floor Area Ratio (FAR), and building lot coverage requirements.

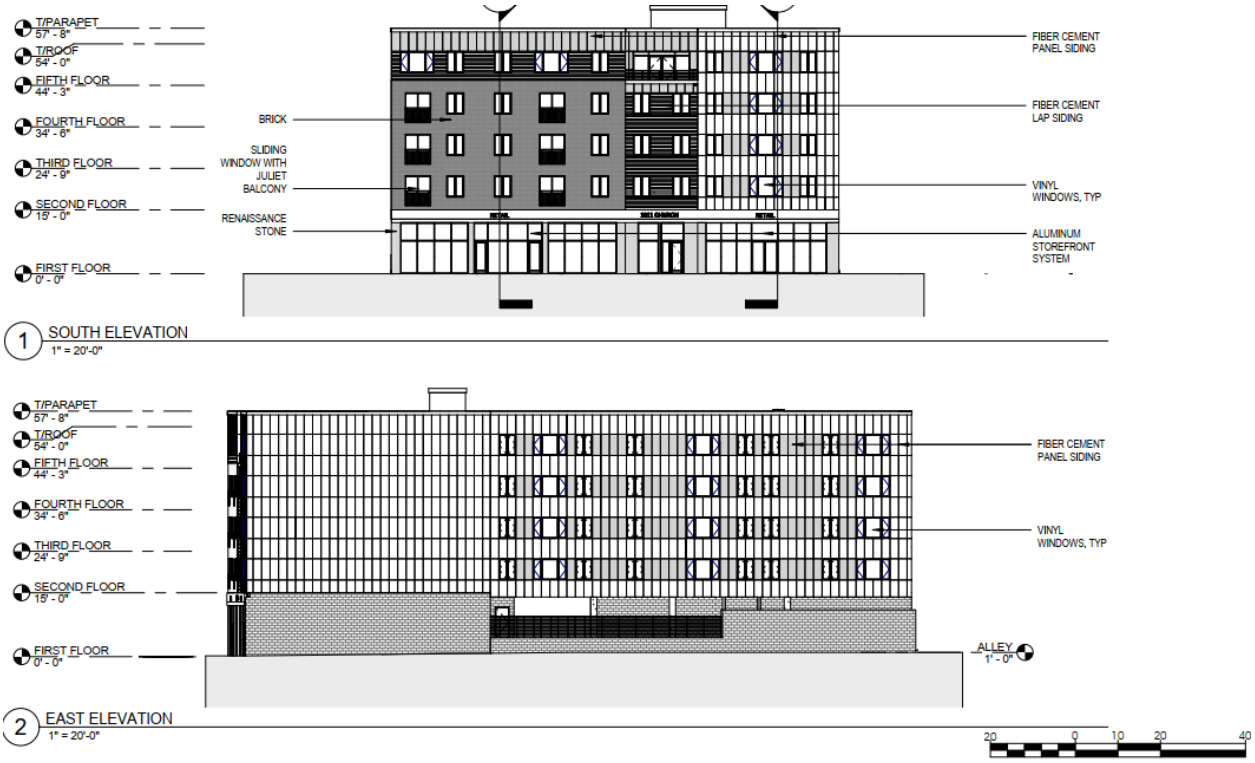
The permitted building height is 3 stories or a maximum of 47 feet for buildings along Church Street within 100 feet of Darrow Avenue (the location is within 100' of Darrow Avenue). An 8-foot ziggurat setback is required at the 3rd story. The proposed building is 5 stories at 57.7 feet to the top of the parapet (54 feet to the top of the roof) and does not provide an 8-foot ziggurat setback; the applicant is requesting a variation for the proposed building height and elimination of the ziggurat setback.

Landscaping includes retaining two existing street trees and replacing one existing tree in a new location away from the building entrance along Church Avenue. The proposal also includes a rooftop deck with a planter.

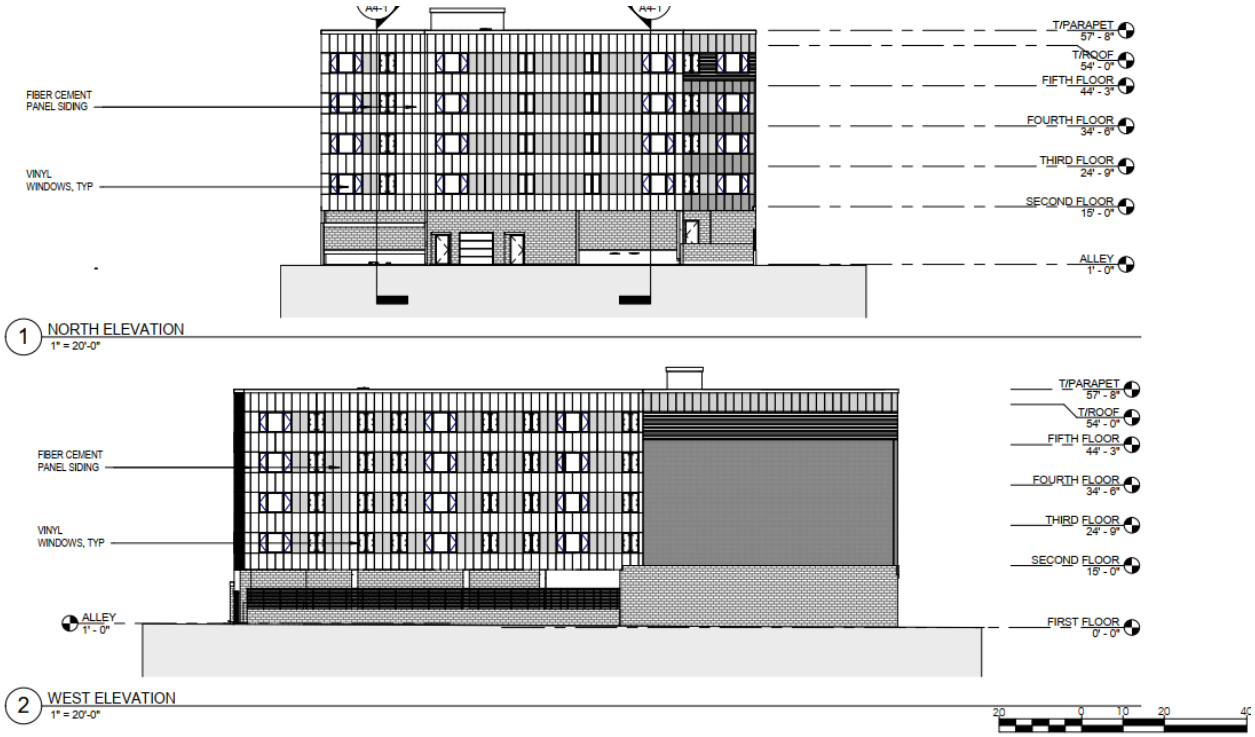
Proposed exterior building materials include:

- Vinyl windows
- Fiber cement lap and panel siding
- Aluminum storefront system
- Brick

In September 2022, the City adopted Bird Friendly Measures and this project is required to comply with bird-friendly measures and will be evaluated at the time of building permit review.



South and East elevations - 1811-1815 Church Street - HODC



North and West elevations - 1811-1815 Church Street - HODC

Mechanical equipment is to be located on the roof centered and away from the roof edge. Given the proposed building height, parapet height, and center location within the

roof area, the equipment should not be visible from the public street. The maximum permitted sound level at the property line must be complied with.

A photometric plan will be reviewed at the building permit stage to confirm any exterior lighting does not glare or spill over onto any adjacent properties.

Stormwater management will be provided by an underground vault per the applicant. Stormwater management details are reviewed at the building permit stage.

The applicant submitted a Traffic Impact Study prepared by Kimley-Horn and Associates, Inc. (Kimley-Horn), dated June 2022. The study considered both the HODC and Mt. Pisgah projects. Traffic data was collected in January 2022 with traffic counts on a typical weekday between 7:00 a.m. - 9:00 a.m. and between 3:00 p.m. - 6:00 p.m. The peak weekday traffic volumes occur between 7:45 a.m. - 8:45 a.m. and between 3:30 p.m. - 4.30 p.m. Peak traffic volume does not include the traffic generated by the proposed Mt. Pisgah project as their peak activity times do not align with the weekday peak hours of the other land uses for the site.

Currently, there are 8 on-street parking spaces along the development site and a 52-space parking lot to the southwest of the site located at the southeast corner of Church Street and Dodge Avenue (parking lot not available to Evanston Township High School). On study day 7 the 52 spaces within the parking lot were occupied.

A total of 53 parking spaces are provided by both the HODC and Mt. Pisgah project and converting 2 on-street parking spaces for a shared loading/drop-off zone.

Church Street runs east-west and is classified as a Major Street by the Evanston Comprehensive Plan and as a Major Collector by the Illinois Department of Transportation (IDOT). One travel lane is provided in each direction. The signalized intersection at Church Street and Dodge Avenue, within proximity to the site, provides a dedicated right-turn lane and a shared through-left lane on the west leg of the intersection, on the east leg of the intersection dedicated turn lanes are not provided. A No Turn On Red between 7:00 a.m. to 6:00 p.m. signs are posted at all approaches to the intersection. There are no dedicated turn lanes at either the west and east legs of the Church Street and Darrow intersection. The posted speed limit is 25 mph along Church Street.

Darrow Avenue runs north-south and is classified as a Local Street by the Evanston Comprehensive Plan. One travel lane is provided in each direction along the frontage of the site. There are no dedicated turn lanes at the unsignalized intersection at Church Street and Darrow Avenue. The posted speed limit is 25 mph along Darrow Avenue.

Dodge Avenue runs north-southwest of the site and is classified as a Major Street by the Evanston Comprehensive Plan and by IDOT. One travel lane is provided in each direction. Dedicated left-turn lanes are provided at both the north and south legs of the Church Street and Dodge Avenue intersection. The posted speed limit is 25 mph along Dodge Avenue.

All roadways adjacent and within proximity to the site are under the jurisdiction of the City of Evanston.

CTA Bus Routes 93 and 206, accessible bus stop at Church Street and Dodge Avenue, provide connections to the CTA's Kimball Brown Line, Davis Purple Line, Howard Red/Purple/Yellow Line Stations, and Metra's UP-N Davis Street and Central Street Stations.

Pace Bus Routes 208 and 213 "H", accessible at bus stops at Church Street and Dodge Avenue, provide connections to the CTA's Davis Purple Line and Howard Red/Purple/Yellow Line Stations, Metra's UP-N Davis Street, Wilmette, Winnetka, Hubbard Woods, Glencoe, Braeside, and Highland Park Stations, and to Pace's Northwest Transportation Center in Schaumburg.

Both the CTA Purple rail line and Metra's UP-N rail line are accessible via the Davis Street Station located less than 1 mile from the site.

A dedicated east-west bike lane runs along the south side of Church Street through the study area. There is a Divvy bike sharing station along the south of Church Street.

Public sidewalks are provided along area roadways; high visibility "ladder" style crosswalks are provided on all legs of the Church Street and Dodge Avenue signalized intersection.

The traffic study concludes the Church Street and Dodge Avenue intersection currently functions at Level of Service C or better during both the morning and evening peak hours. The intersection experiences more delay during the morning peak due to traffic generated by the nearby high school, the same delay is not experienced during the evening peak due to staggered departure of the high school generated traffic due to school bus trip schedules and after school activities.

The traffic impact study indicates the existing roadways will be able to accommodate the traffic generated by the proposed developments. The study recommends the following:

- Create a sidewalk bump-out at the northwest corner of the Church Street and Darrow Avenue intersection and a striped crosswalk across Darrow Avenue to help draw pedestrian trips and facilitate safe access to the proposed developments.
- Maintain existing on-street parking stalls along Church Street.
- Replace any sidewalk displaced during construction.
- Provide Stop control and stop bar at the access drives for northbound site traffic exiting onto the alley along the north side of the development site.
- Provide bike storage/racks for both residents and commercial uses in the HODC project.
- Run an AutoTurn to examine turning operations at the new access drive.

At the time of a building permit submittal, Public Works staff will review the need for a sidewalk bump-out at Church Street and Dodge Avenue and whether a striped crosswalk across Darrow Avenue is needed.

Major Variations

Several of the variations triggered and requested by the applicant are due to the West Evanston Overlay District regulations, including:

- Reduce the required front yard build to the zone from 5'-10' to 0',
- Reduce the required west and east interior side yard setbacks from 5' to 0',
- Increase the maximum permitted impervious surface coverage from 90% + 5% semi-pervious surface area to 99.7% of lot area, and
- Eliminate the required 8' ziggurat setback at the 3rd story.

The B2 base zoning regulations do not require a front yard build to zone, interior side yard setbacks, maximum impervious surface coverage, or a ziggurat setback. Regardless of impervious surface coverage, stormwater management is required.

The following variations are triggered even if the West Evanston Overlay District did not apply:

- Reduce the required rear yard setback from 5' to 2.5',
- Increase the maximum permitted building height from 3 stories and 47' to 5 stories and 57.7', and
- Eliminate the required one short loading berth.

Instead of providing an on-site loading berth, the applicant is proposing an on-street loading zone to be shared with the adjacent HODC project. Parking Services does not object to the on-street loading zone, however, the loading zone will be available to the block and not to the applicants exclusively. Loading zone/parking operational details need further review by Parking Standards at the time of building permit submittal.

The requested variations facilitate the viability of the proposed development of 44 affordable dwelling units to meet the City's goal of addressing housing affordability, a public benefit.

A staff memo to the City Council's Planning & Development Committee, dated October 24, 2022, is attached describing the problems implementing the West Evanston Master Plan and corresponding oWE West Evanston Overlay District regulations.

Design and Project Review (DAPR) Discussion

The Design and Project Review Committee (DAPR) reviewed this project on November 15, 2022. Staff comments and concerns raised included:

- Green Building Ordinance, Bird Friendly, and rental registration all apply.

- Building foundations at a zero lot line is a concern; the applicant proposes an off-set foundation. Foundation details will be reviewed at the building permit stage.
- Stormwater management (storage) will be provided by an underground vault with stormwater released to the alley.
- Grade change between the front and rear of the property is a concern. Applicant proposes addressing the grade change by the parking ramp and stairs/elevators. Elevators will have both front and rear doors depending on the floor level. These details will be reviewed at the building permit stage.
- Snow is not permitted to be plowed to the alley.

Department Recommendation

Staff recommends approval with the following conditions for consideration by the Land Use Commission:

- Approval of a plat of subdivision establishing new property lines.
- Compliance with Green Building and Bird Friendly Ordinances.
- Compliance with rental registration requirements.
- Rooftop mechanical equipment to comply with the maximum permitted sound level at the property line. The applicant is encouraged to use equipment that does not need sound attenuation modifications.
- If exterior lighting is proposed, a photometric plan is required at the time of building permit submittal showing light levels at the property line. Exterior lighting is not to glare or spill over onto adjacent properties.
- Parking Services and Public Works Agency approval for the on-street loading zone.
- Replace any sidewalk displaced during construction.
- Provide Stop control and stop bar at the access drives for northbound site traffic exiting onto the alley along the north side of the development site.
- Provide bike storage/racks for both residents and commercial uses in the HODC project.
- Run an AutoTurn to examine turning operations at the new access drive.

Standards for Approval

The proposed development must follow the Standards for Major Variations (Section 6-3-8-12.E).

For major variations, the LUC must find:

1. **The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties**.

2. **The requested variation is in keeping with the intent of the zoning ordinance**.

3. **The alleged hardship or practical difficulty is peculiar to the property**.

4. **The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out**.

5. **a. The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or**
   b. While the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 - Public Benefits (see below).

6. **The alleged difficulty or hardship has not been created by any person having an interest in the property**.

7. **The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation**.

Section 6-3-6-3 - Public Benefits:

A. Preservation and enhancement of desirable site characteristics and open space.
B. A pattern of development that preserves natural vegetation, topographic and geologic features.
C. Preservation and enhancement of historic and natural resources that significantly contribute to the character of the City.
D. Use of design, landscape, or architectural features to create a pleasing environment or other special development features.
E. Provision of a variety of housing types in accordance with the City's housing goals.
F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.
G. Business, commercial, and manufacturing development to enhance the local economy and strengthen the tax base.
H. The efficient use of the land resulting in more economic networks of utilities, streets, schools, public grounds, buildings, and other facilities.
I. The substantial incorporation of generally recognized sustainable design practices and/or building materials to promote energy conservation and improve environmental quality, such as level silver or higher LEED (leadership in energy and environmental design) certification.

Action by the Commission

After making findings of fact as to whether or not the requested major variations meet or do not meet the aforementioned standards, the Land Use Commission may make individual motions for each of the variations, or one motion for covering all requested zoning relief to approve, approve with conditions, or deny the variations as requested.

The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Zoning Code Section 6-3-5-9, and Ordinance 92-O-21.

Attachments

1811-1815 Church Street plan, latest revision dated February 10, 2023
Traffic Impact Study, dated June 2022
Zoning Analysis, latest revision dated February 16, 2023
Memo to the City Council's Planning & Development Committee, dated October 24, 2022
Applications
Public comments received

1811-1815 Church Street, 22ZMJV-0092

Plat of survey and most recent plan

EDWARD J. MOLLOY & ASSOCIATES

A DIVISION OF THOMAS A. MOLLOY, LTD. – PROFESSIONAL LAND SURVEYING

1236 MARK STREET, BENSENVILLE, ILLINOIS 60106 (630) 595–2600 Fax (630) 595–4700

e–mail: tmolloy@ejmolloy.com

PLAT OF SURVEY

OF

PARCEL 1:
THE NORTH 26.60 FEET OF LOTS 9 AND 10 IN BLOCK 3 IN MERRILL LADDS SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
THE SOUTH 27.4 FEET OF THE NORTH 28 FEET OF THE SOUTH 134 FEET OF LOTS 9 AND 10 (EXCEPT THE WEST 13 FEET OF THE NORTH 15 FEET OF THE SOUTH 121 FEET) OF SAID LOT 10 IN BLOCK 3 IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:
THE SOUTH 106.00 FEET OF LOTS 9 AND 10 IN BLOCK 3, IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:
LOT 11 IN BLOCK 3, IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5:
THE EAST 1/2 OF LOT 12 IN BLOCK 3 IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1805–1815 CHURCH STREET AND 1708–1710 DARROW AVENUE, EVANSTON, ILLINOIS

TOTAL AREA OF TRACT SURVEYED: ±28,950 SQ. FT. OR 0.6646 ACRES (INCLUDING ±195 SQ. FT. OR 0.0045 ACRES FALLING WITHIN THE AREA NOTED AS "PARCEL 2 EXCEPTION")

= AREA NOT INCLUDED IN DEEDS

N

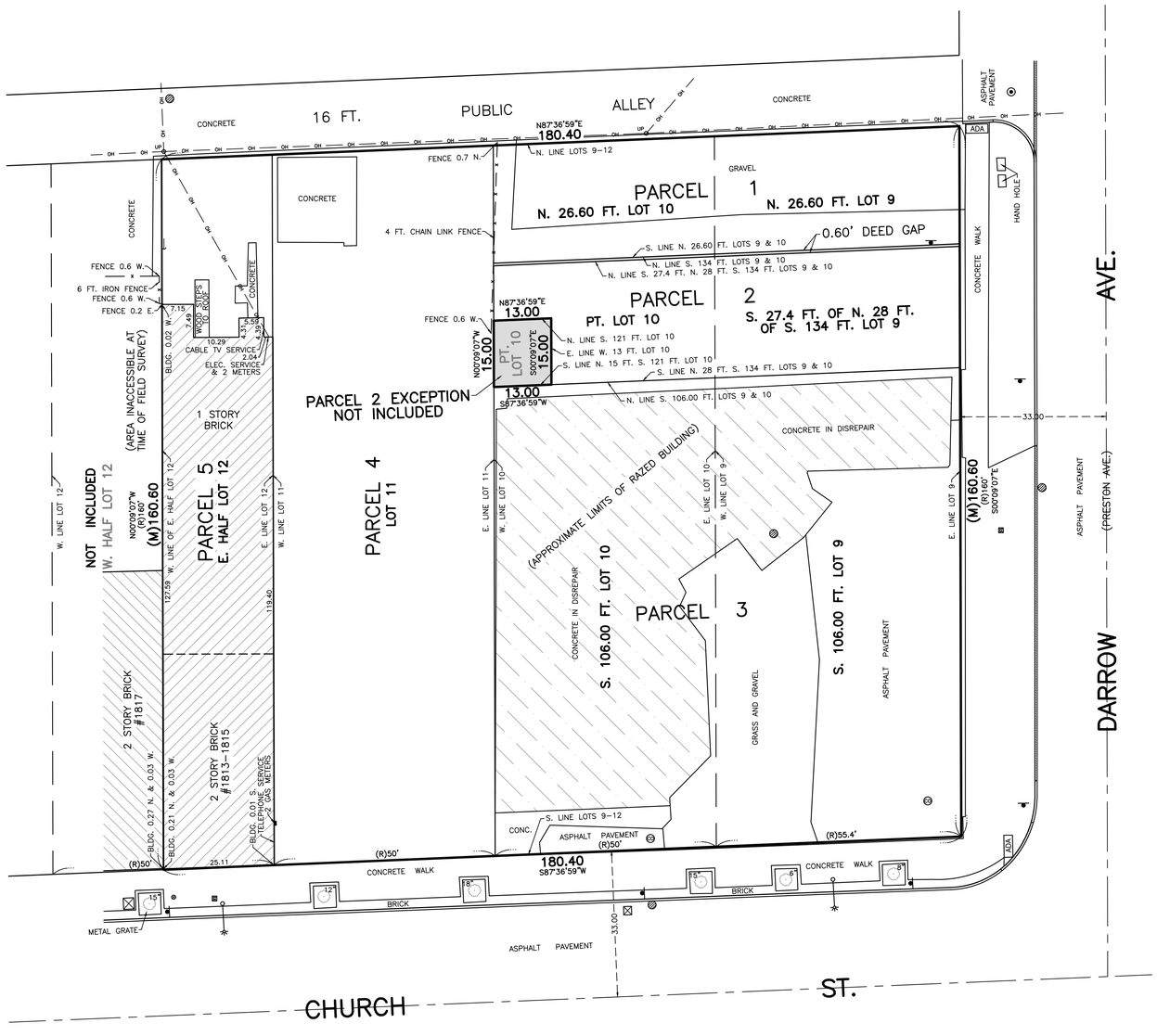
1" = 15'

0 15' 30'

GRAPHIC SCALE

LEGEND:

- Storm Manhole
- Storm Catch Basin/Inlet
- B–Box
- Light Pole W/Arm
- Utility Pole W/Overhead Wire
- Anchor for Power Pole
- Traffic Sign
- Electric Vault
- Gas Valve
- Cleanout
- 12" Tree W/Trunk Diameter
- Depressed Curb
- (M) Measured
- (R) Record
- ADA ADA Tactile Dome



TAX PERMANENT INDEX NUMBER:
10–13–220–031–0000
10–13–220–032–0000
10–13–220–035–0000
10–13–220–040–0000
10–13–220–041–0000

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED DATUM AND DO NOT REFLECT ANY RECORD DRAWINGS.

COMPARE LEGAL DESCRIPTION AND MONUMENTS WITH THIS PLAT AND REPORT ANY DISCREPANCIES YOU MAY FIND TO THIS SURVEYOR AT ONCE.

BUILDING DIMENSIONS AND TIES ARE TO CORNERS OF BRICK UNLESS OTHERWISE NOTED.

NO DIMENSIONS TO BE ASSUMED FROM SCALING.

NO TITLE COMMITMENT PROVIDED TO THIS SURVEYOR TO AID IN THE PREPARATION OF THIS SURVEY. REFER TO TITLE POLICY FOR ITEMS OF RECORD, IF ANY, NOT SHOWN HEREON.

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)

I, THOMAS A. MOLLOY, AN ILLINOIS PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE UNDER MY DIRECTION OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THE PLAT HEREON DRAWN IS A REPRESENTATION OF SAID SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATE OF LAST FIELD WORK: JULY 1, 2022.

SIGNED AT BENSENVILLE, ILLINOIS THIS 8TH DAY OF JULY , A.D. 2022

EDWARD J. MOLLOY AND ASSOCIATES, A DIVISION OF THOMAS A. MOLLOY, LTD.
AN ILLINOIS PROFESSIONAL DESIGN FIRM – LICENSE NO. 184–004840

THOMAS A. MOLLOY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35–3409
(EXPIRES NOVEMBER 30, 2022 AND IS RENEWABLE)

THOMAS A. MOLLOY 35–3409 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS BENSENVILLE, ILLINOIS

VALID ONLY WITH EMBOSSED SEAL

DRAFTED BY: BJE
PAGE: 1 OF 1
ORDER NO.: 220075
FILE: 13–41–13
PROJECT NO.: 2185TAM

REVISION DATE	ORDER NO.	REVISION
AUG. 17, 2022	220075	IN HOUSE REVIEW
JULY 8, 2022	220075	BOUNDARY SURVEY

CLIENT: HOUSING DEVELOPMENT CORPORATION

HOUSING OPPORTUNITY DEVELOPMENT CORPORATION

5340 Lincoln Avenue ♦ Skokie, Illinois 60077
(847) 564-2900 ♦ (847) 564-2992 fax ♦ hodc@hodc.org ♦ www.hodc.org

February 13, 2023

Michael Griffith, Planner
Planning & Zoning Division
Community Development Department
City of Evanston
2100 Ridge Ave.
Evanston, IL 60201

Re: 1811-1815 Church Street
Land Use Commission Update

Dear Michael:

Please see attached the updated plans for the 1811-1815 building. We made the following changes in response to suggestions and requests from the Land Use Commission and neighbors:
-Created a 30 inch rear set-back on the north side to widen alley access
-Removed planters from the streetscape to improve flow
-Created a 1 inch offset from the neighboring building to the west as requested
-Updated the west elevation to show brick wrapped around the west side
-Updated unit sizes and layouts based on the new dimensions

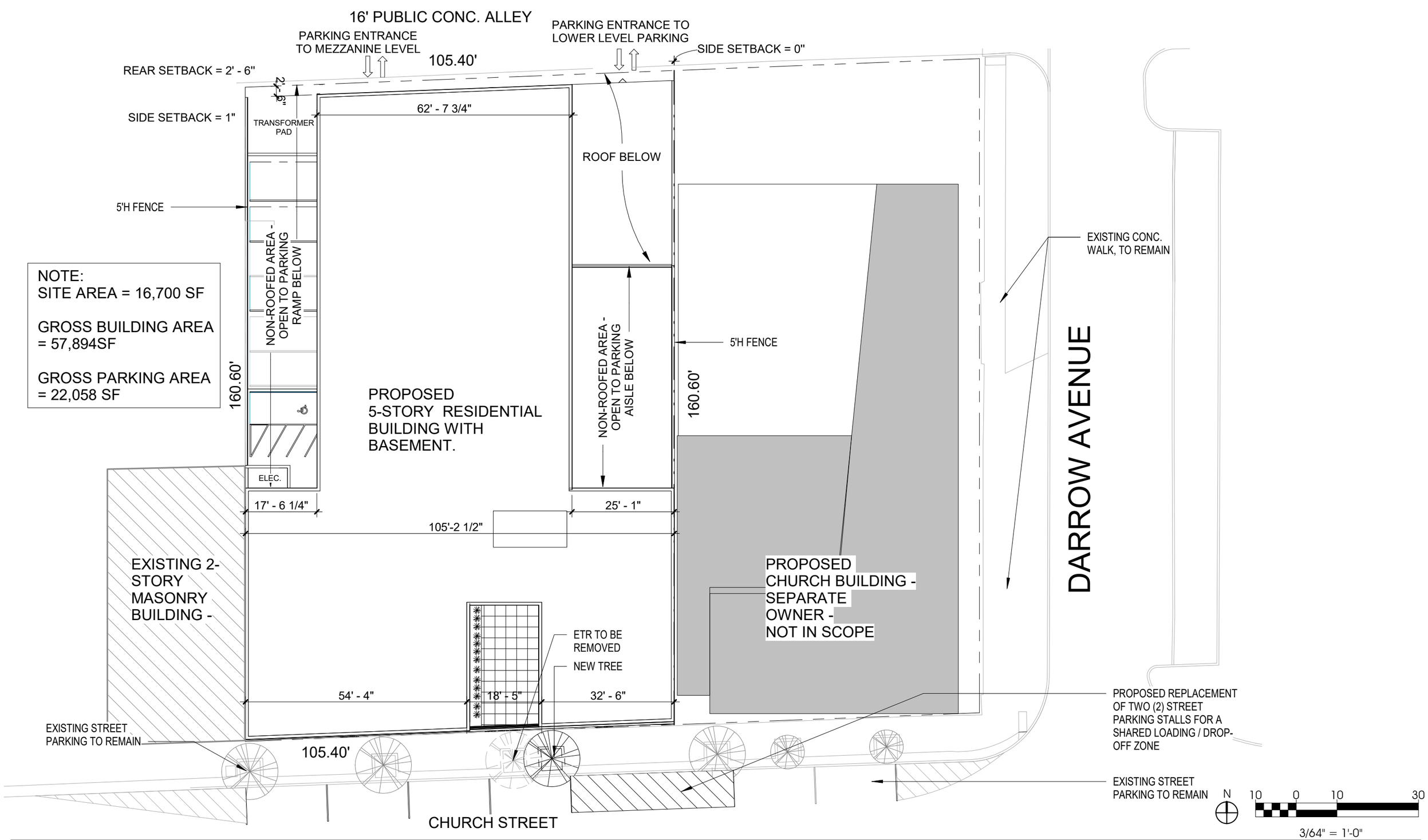
Please contact me if there are any questions or any additional information needed.

Sincerely,



Richard Koenig
Executive Director

EQUAL HOUSING OPPORTUNITY



Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

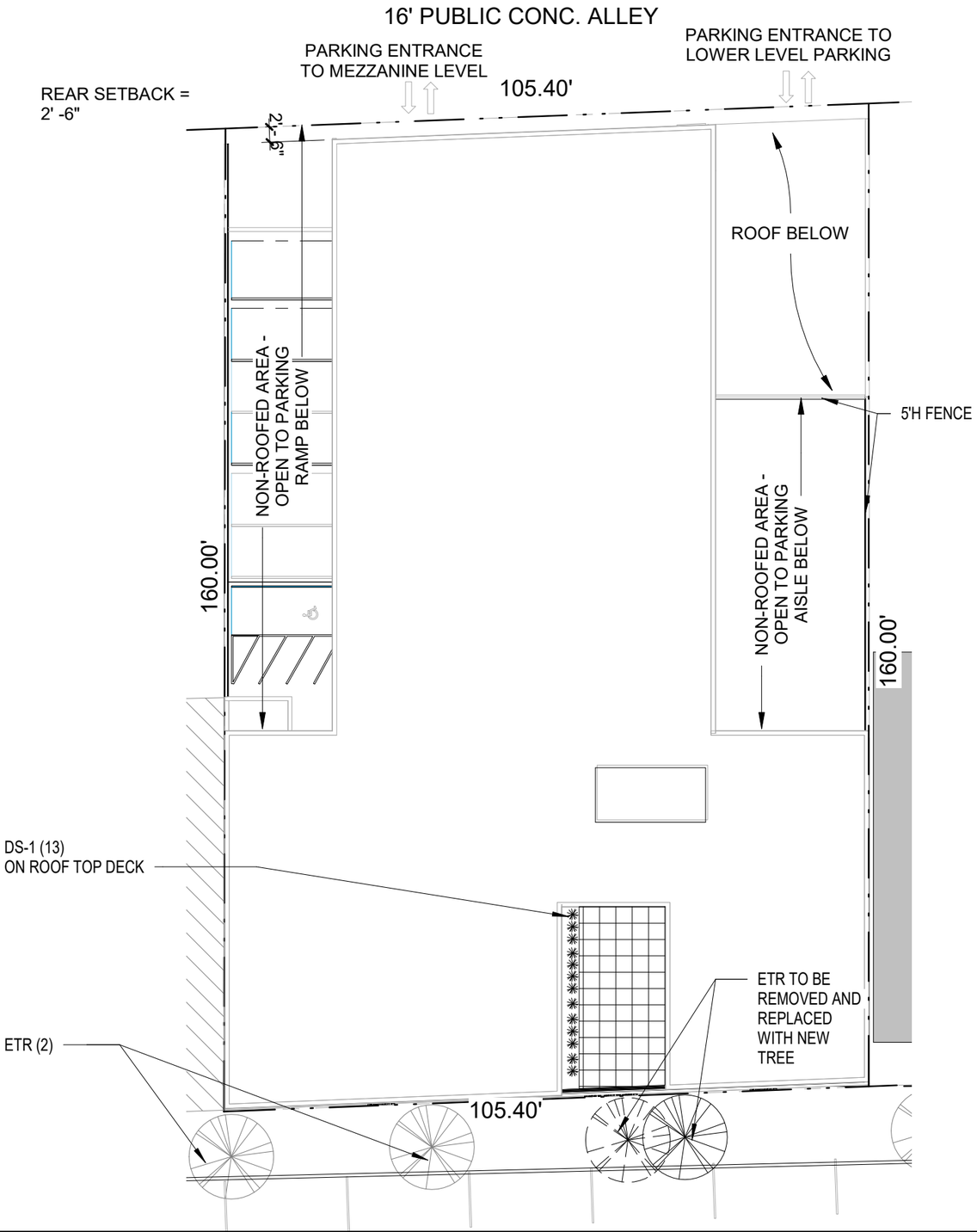
1823 W AURORA ST

SITE PLAN

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

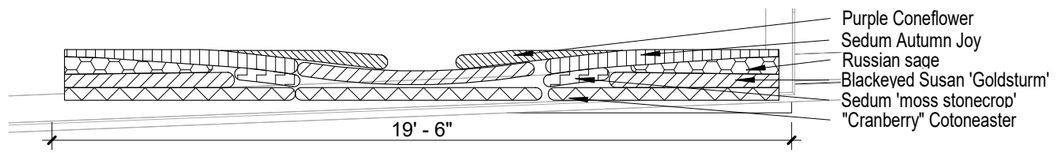
A1-0

02.10.2023



LANDSCAPE DATA TABLE: PLANT LIST

	QTY		SYM	BOTANICAL NAME	COMMON NAME	SIZE	
EXISTING PARKWAY TREES	2		ETR	VARIES	VARIES	EXISTING TO REMAIN	
NEW PARKWAY TREES	1			TBD	TBD		
TOTAL	**3**						
DECIDUOUS SHRUBS	4		DS-1	HYDRANGEACEAE HYDRANGEA QUECIFOLIA	OAKLEAF HYDRANGEA	3' BB	
	4			H. HYDRANGEA ARBORESCENS	ANNABEL HYDRANGEA	3' BB	
	5			CORNACEAE CORNUS SERICEA	YELLOW TWIG DOGWOOD	3' BB	
	12			"CRANBERRY" COTONEASTER	COTONEASTER APICULATUS	3' BB	
TOTAL	**25**						
PERENNIALS	**24**			PURPLE CONEFLOWER	ECHINACEA PURPURA	6" POT	
	20			SEDUM 'MOSS STONECROP'	SEDUM ACRE	6" POT	
	40			SEDUM AUTUMN JOY	HYLOTELEPHIUM 'HERBSTFREUDE'	6" POT	
	20			RUSSIAN SAGE	PEROVSKIA ATRIPLIICIFOLIA	6" POT	
	24			BLACKEYED SUSAN 'GOLDSTURM'	RUDBECKIA FULGIDA "GOLDSTURM"	6" POT	
TOTAL	**128**						



TYPICAL ENLARGED PLANTER LANDSCAPE

N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

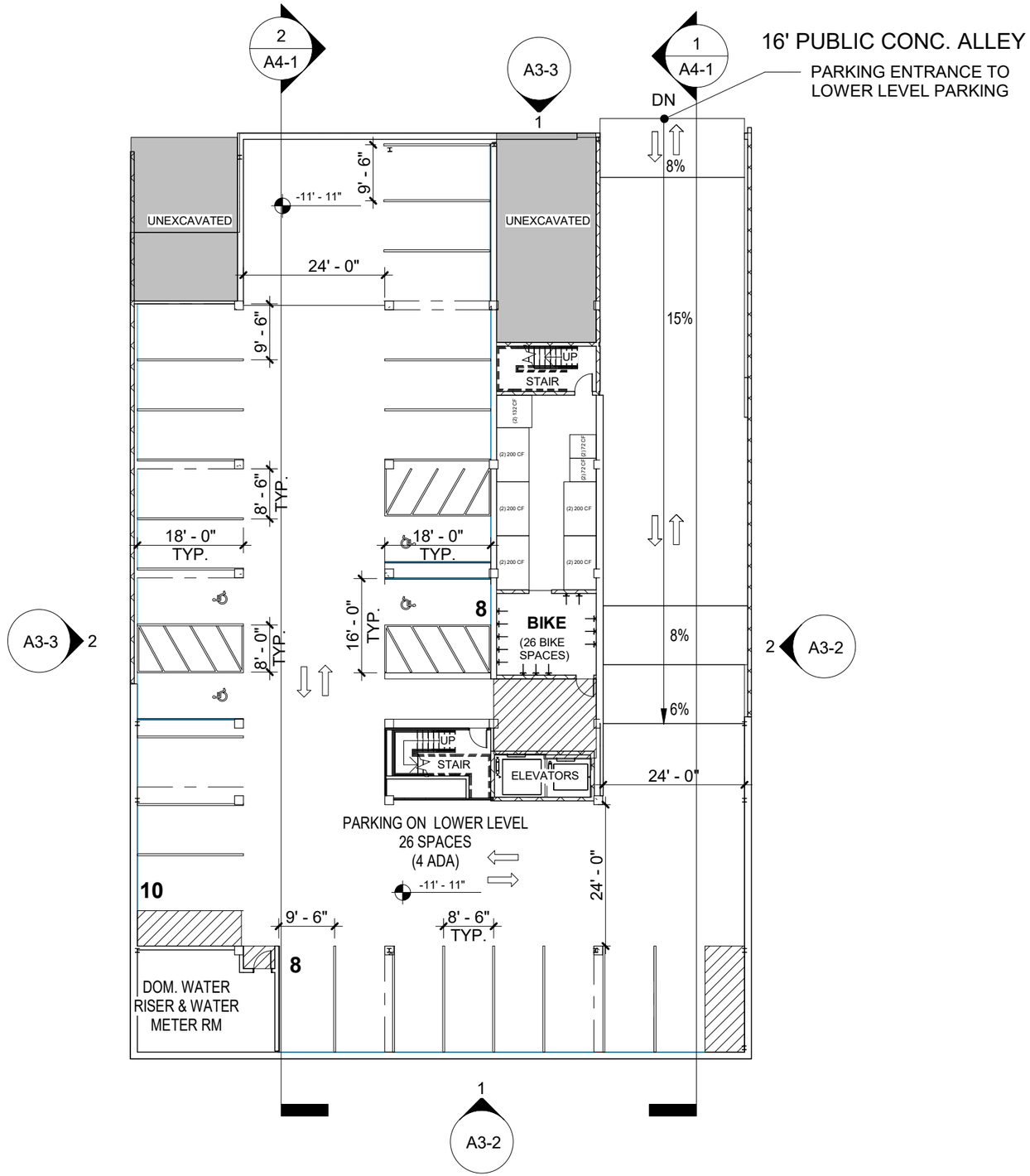
1823 W AURORA ST

LANDSCAPE PLAN

CORDOGAN CLARK
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A1-1

02.10.2023



N

10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

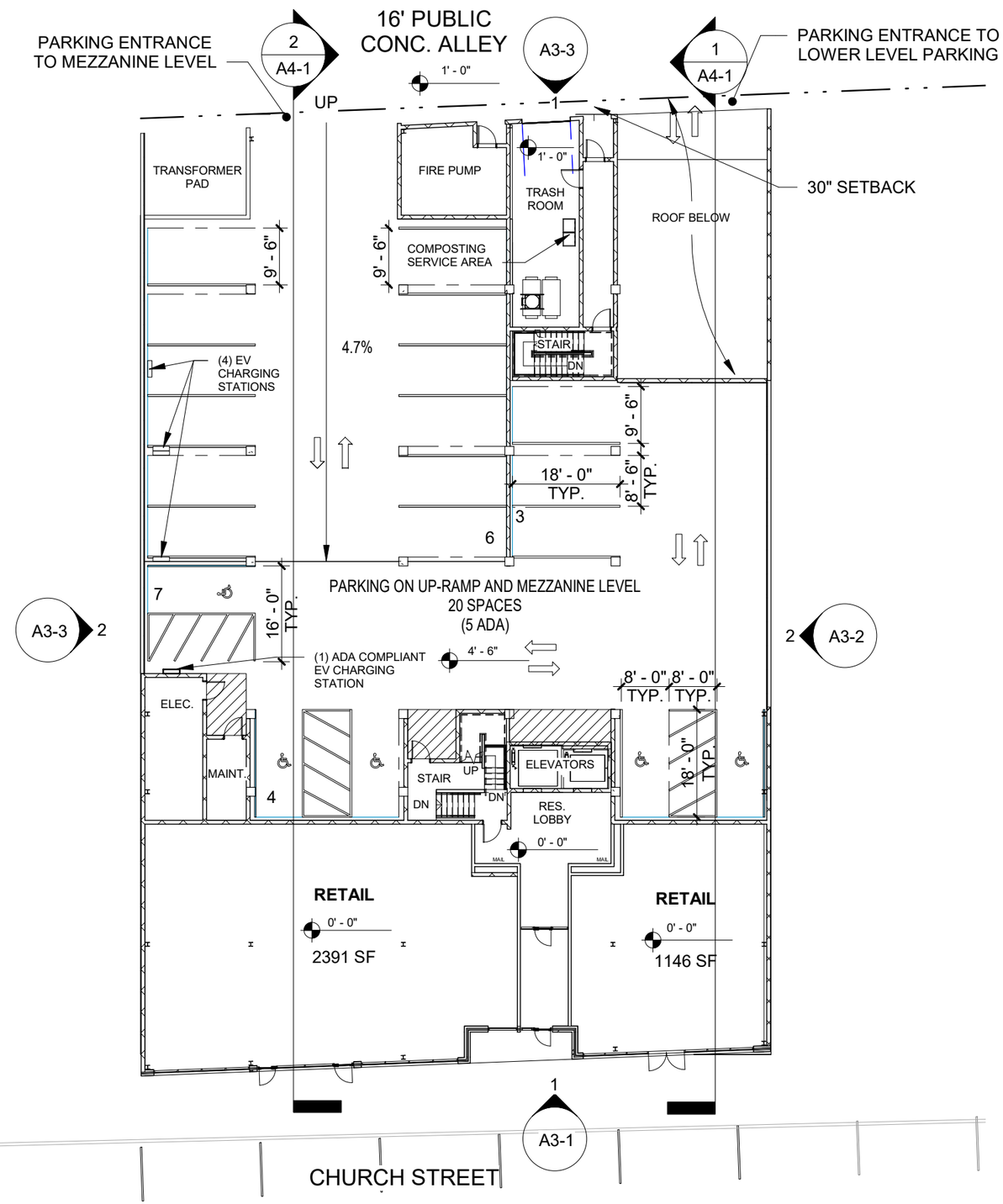
1823 W AURORA ST

LOWER LEVEL PLAN (PARKING)

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A2-0

02.10.2023



N

10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

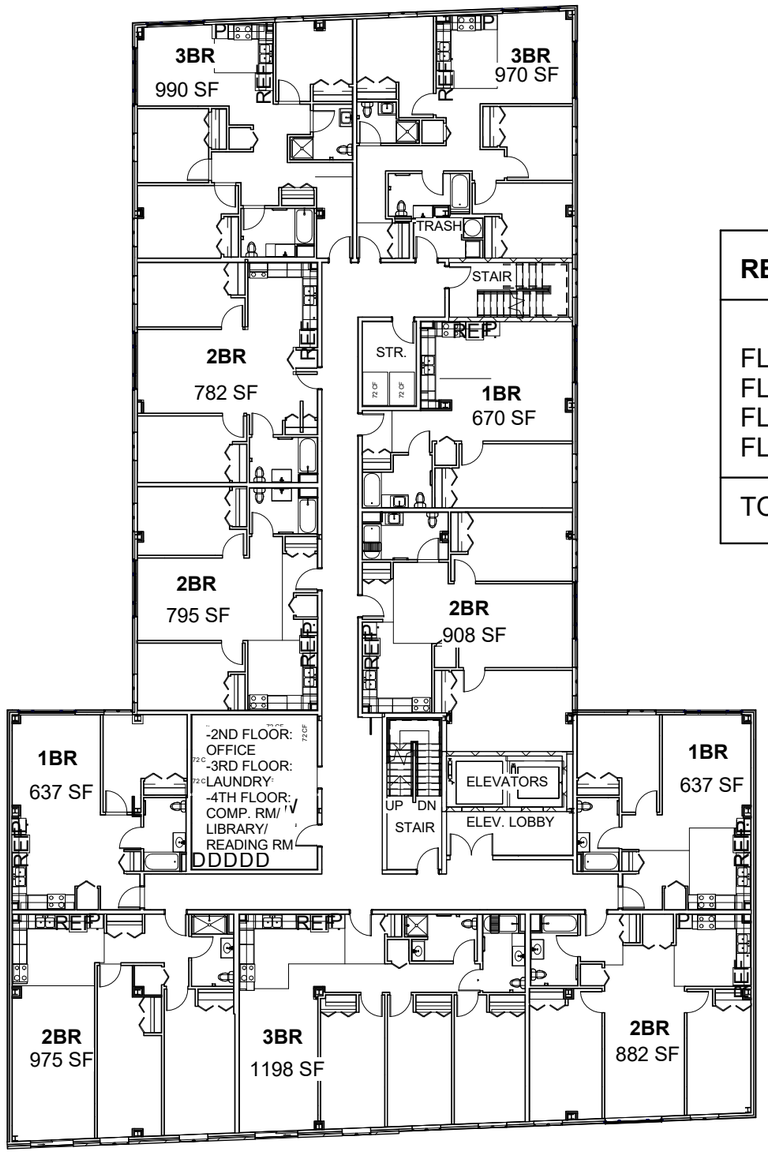
1823 W AURORA ST

1ST FLOOR PLAN (RETAIL AND PARKING)

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A2-1

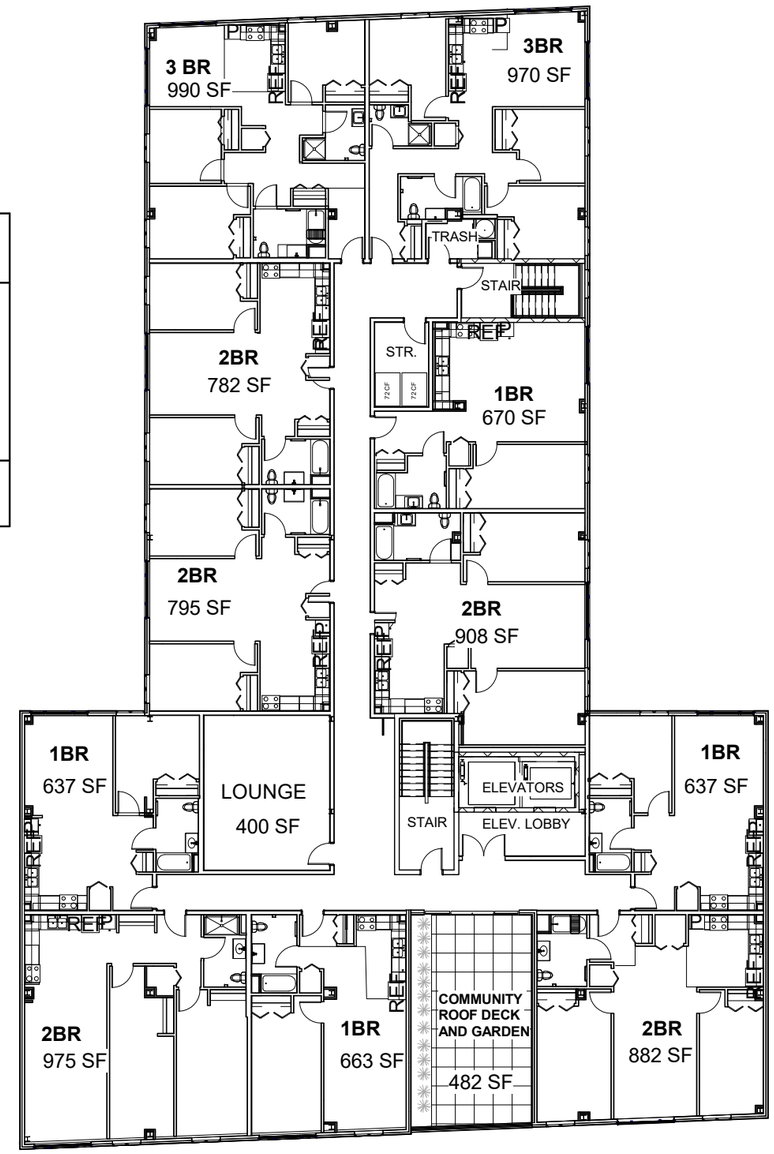
02.10.2023



TYPICAL FLOOR PLAN (FLOORS 2-4)

RESIDENTIAL UNIT COUNT

	1BRS	2BRS	3BRS	TOTAL
FLOOR 2	3	5	3	11
FLOOR 3	3	5	3	11
FLOOR 4	3	5	3	11
FLOOR 5	4	5	2	11
TOTAL	13	20	11	44



5TH FLOOR PLAN

N

10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

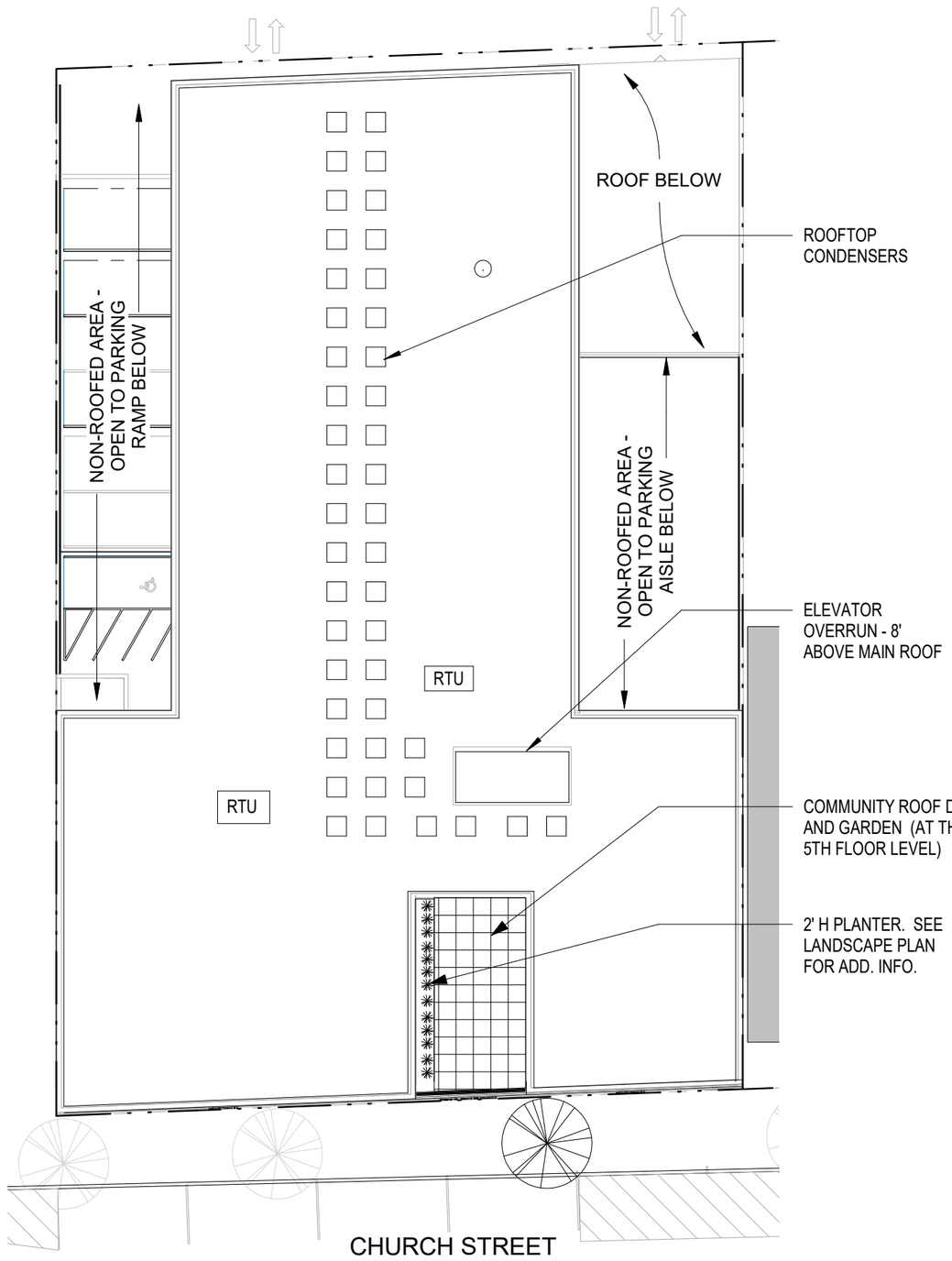
1823 W AURORA ST

TYP RESIDENTIAL FLOOR PLAN (FLRS 2-5)

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A2-3

02.10.2023



N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

1823 W AURORA ST

ROOF PLAN

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A2-4

02.10.2023



Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

1823 W AURORA ST

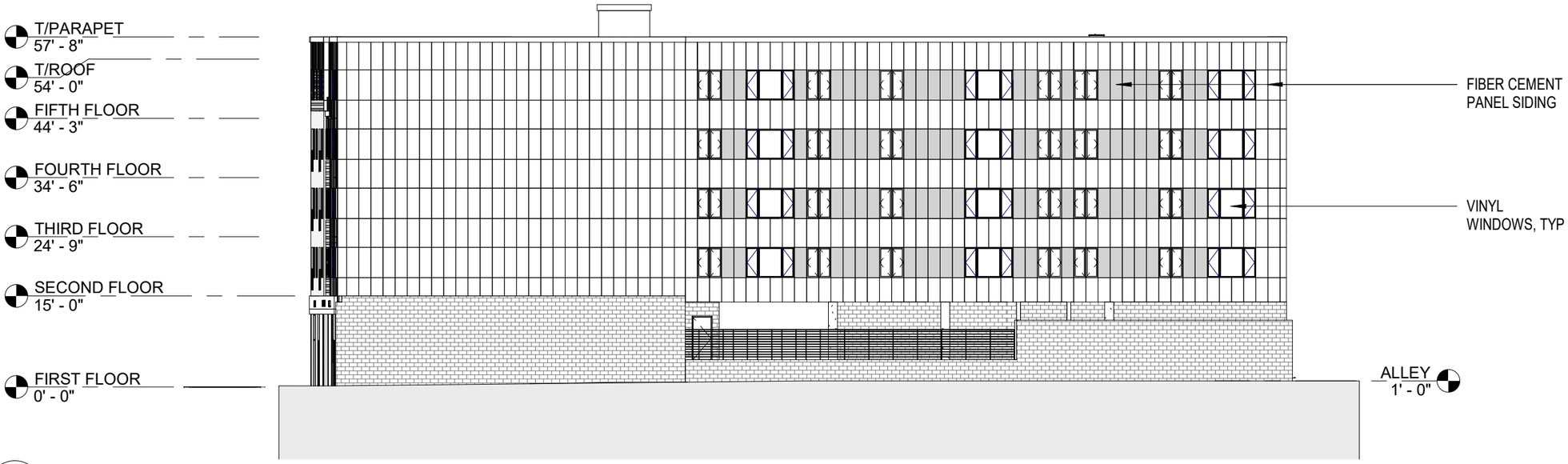
BUILDING ELEVATION

CORDOGAN CLARK
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A3-1
02.10.2023



1 SOUTH ELEVATION
1" = 20'-0"



2 EAST ELEVATION
1" = 20'-0"

20 0 10 20 40
1"=20'-0"

Housing Opportunity Development Corporation

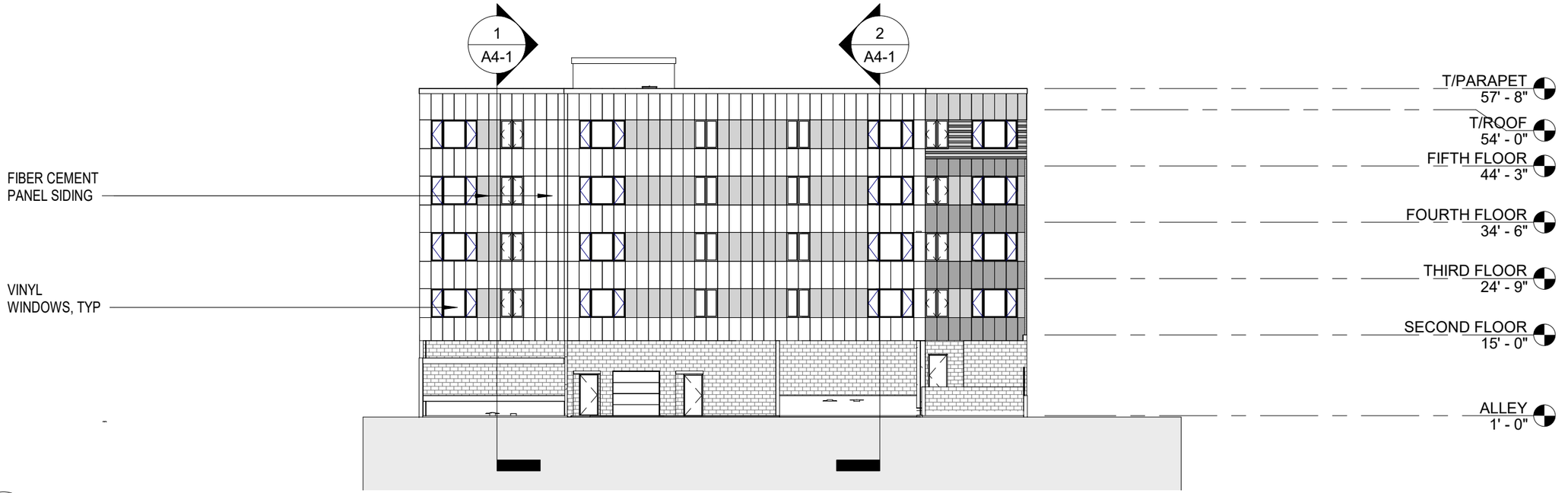
1811 CHURCH STREET APARTMENT

1823 W AURORA ST

BUILDING ELEVATIONS SOUTH AND EAST

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A3-2
02.10.2023



1 NORTH ELEVATION
1" = 20'-0"



2 WEST ELEVATION
1" = 20'-0"

20 0 10 20 40
1"=20'-0"

Housing Opportunity Development Corporation

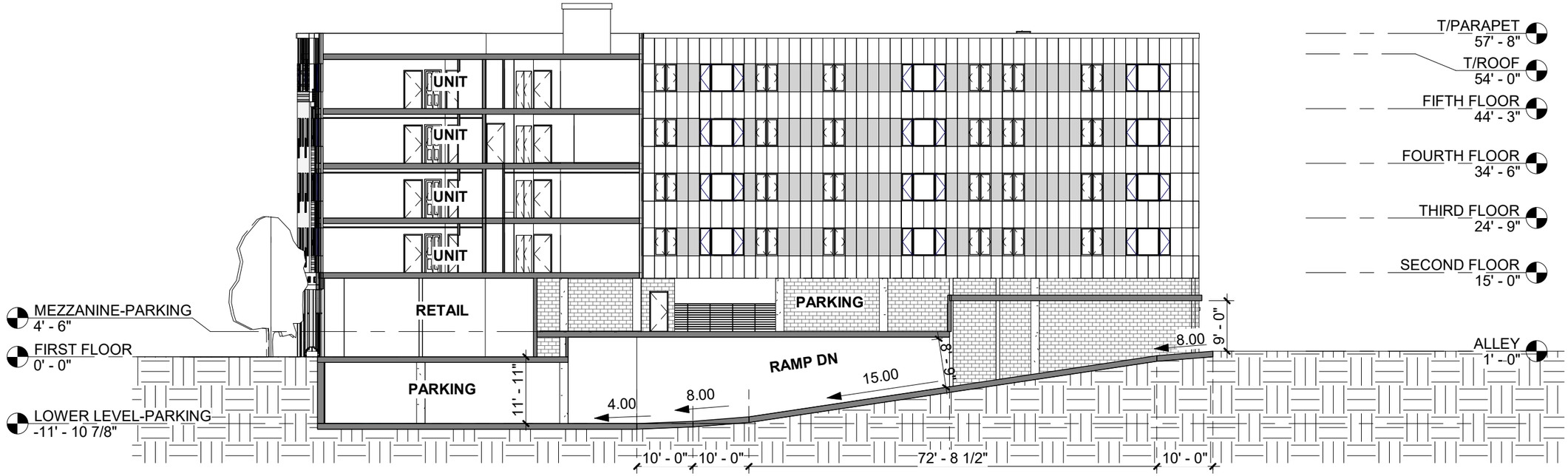
1811 CHURCH STREET APARTMENT

1823 W AURORA ST

BUILDING ELEVATIONS NORTH AND WEST

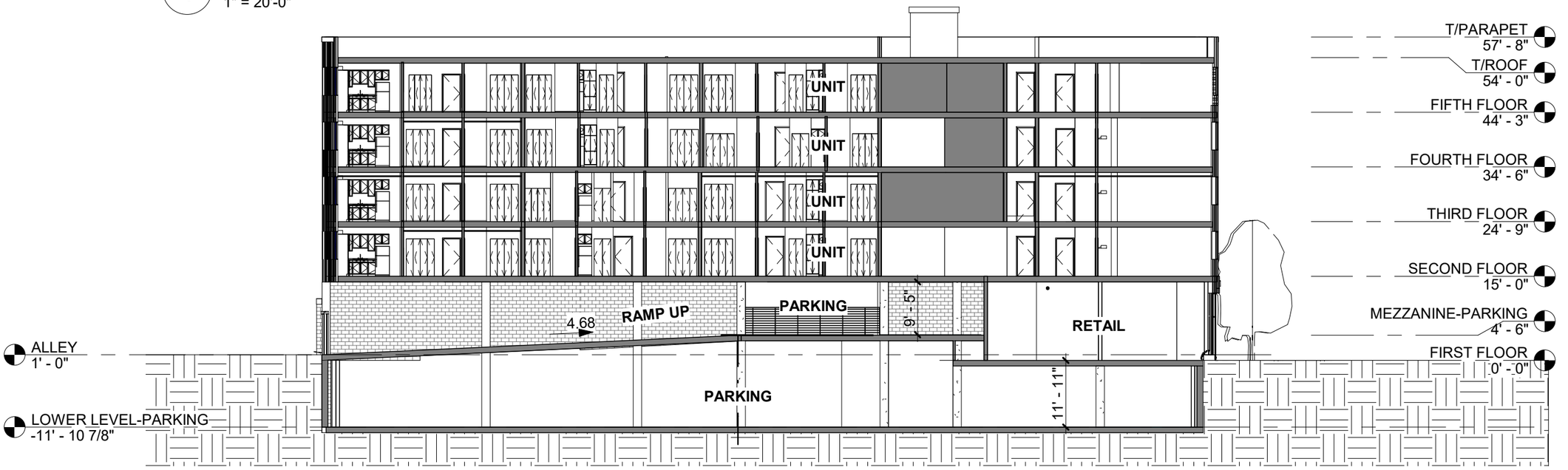
CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A3-3
02.10.2023



1 BUILDING SECTION 1

1" = 20'-0"



2 BUILDING SECTION 2

1" = 20'-0"

N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

1823 W AURORA ST

BUILDING SECTION

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A4-1

02.10.2023

1811-1815 Church Street, 22ZMJV-0092

Traffic Impact Study

EVANSTON RESIDENCES
1805-1815 CHURCH ST

Traffic Impact Study

Evanston, Illinois





June 2022

Prepared for:

Housing Opportunity Development Corporation (HODC)



Kimley»Horn

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1. INTRODUCTION

Kimley-Horn and Associates, Inc. (Kimley-Horn) was retained by the Housing Opportunity Development Corporation (HODC) and Mt. Pisgah to conduct a traffic planning and parking study for a proposed mixed-use development to be located on the northwest quadrant of the intersection at Darrow Avenue / Church Street. The subject site currently contains the Mt. Pisgah Ministry, an unmaintained parking lot, and undeveloped land. The development would include two separate buildings. The first, a five-story building, will contain ground floor retail space and affordable housing units on the upper floors. The second, a two-story building, will house the relocated Mt. Pisgah Ministry. It can be anticipated that many trips will be made without the use of an automobile, which will help minimize the number of trips generated, and therefore, will minimize the traffic impacts on the nearby streets.

Auto access to the mixed-use building will be facilitated via a new full-access driveway on the northern boundary of the site along the existing Church Street Alley. This proposed alley driveway is located approximately 150 feet west of Darrow Avenue. No access drives will serve the relocated Mt. Pisgah Ministry. An aerial view of the study location and the surrounding roadway network is illustrated in **Exhibit 1**.

As part of this traffic planning study, site trip generation characteristics were established for the mixed-use development and added to the background traffic volumes to assess the site's potential impact on the area roadway network. This report presents and documents data collection, summarizes the evaluation of the existing and projected future traffic conditions on the surrounding roadways, and identifies recommendations to address the potential impact of site-generated traffic on the adjacent roadway network.

As part of this parking planning study, parking requirements based on City of Evanston code were reviewed and compared to the projected demand based on published information from the Institute of Transportation Engineers (ITE). This data was summarized and evaluated against the development's site plan to understand future projected parking demand.



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EXHIBIT 1
SITE LOCATION MAP

2. EXISTING CONDITIONS

Kimley-Horn conducted a field review of the subject site including existing land uses in the surrounding area, the adjacent street system, current traffic volumes and operating conditions, lane configurations and traffic controls at nearby intersections, crash history, and parking operations. This section of the report details information on the existing conditions. **Exhibit 2** summarizes the existing traffic and parking operations, which are discussed below. **Appendix A** provides a photo inventory.

Area Land Uses

The subject site is partially developed with the existing Mt. Pisgah Ministry and an existing unmaintained parking lot. The site is located directly south of the Church Street Alley on the northwest quadrant of the intersection of Church Street and Darrow Avenue. The site is bounded by Darrow Avenue to the east, Church Street to the south, the Church Street Alley to the north, and a commercial development to the west. It should also be noted there is an existing public parking lot on the northeast corner of the site which provides approximately 10 parking spaces.

Evanston Township High School (ETHS) is located in the southwest quadrant of the Church Street / Dodge Avenue intersection. Commercial uses are located along Church Street near and at Dodge Avenue. Single family neighborhoods are located to the north. Additionally, a City owned parking lot is located in the southeast quadrant of the Church Street / Dodge Avenue intersection that is available for use by area businesses.

Existing Roadway Characteristics

A field investigation was conducted within the study area. As a result of this visit, the following information was obtained about the existing roadway network.

Church Street is an east-west street that runs along the southern frontage of the site. The Illinois Department of Transportation (IDOT) classifies Church Street as a Major Collector. Through the study area, one travel lane is provided in each direction without a dedicated median. At the signalized intersection of Church Street and Dodge Avenue, Church Street provides a dedicated right-turn lane and a shared through-left lane on the west leg. On the east leg of the intersection, Church Street does not provide dedicated turn-lanes. No turn on red signage between 7:00 AM to 6:00 PM is posted on all approaches of the Church Street / Dodge Avenue intersection. At the unsignalized intersection of Church Street and Darrow Avenue, Church Street does not provide dedicated turn lanes on both west and east legs of the intersection. A speed limit of 20 miles per hour (mph) is posted along Church Street through the study area. Church Street is under the jurisdiction of the City of Evanston.

Dodge Avenue is a north-south street located west of the site. IDOT classifies Dodge Avenue as a Major Collector. Through the study area, one travel lane is provided in each direction without a dedicated median. At its unsignalized intersection with the Church Street Alley, no dedicated turn lanes are provided. At its signalized intersection with Church Street, Dodge Avenue provides dedicated left-turn lanes on both north and south legs of the intersection. A speed limit of 25 miles per hour (mph) is posted on Dodge Avenue through the study area. Dodge Avenue is under the jurisdiction of the City of Evanston.

Darrow Avenue is a local north-south street that runs along the eastern frontage of the site. Through the study area, one travel lane is provided in each direction. At its unsignalized intersection with the Church Street Alley and Church Street, no dedicated turn lanes are provided. A speed limit of 25 miles per hour (mph) is posted on Darrow Avenue through the study area. Darrow Avenue is under the jurisdiction of the City of Evanston.

Church Street Alley is an east-west public alley that runs along the northern frontage of the site. A speed limit of 15 miles per hour (mph) is posted along the facility. The Church Street Alley does not provide dedicated turn lanes at its unsignalized intersections with Dodge Avenue or Darrow Avenue.

Non-Auto Accommodations

Non-Auto Accommodations are plentiful in the site area (see **Exhibit 2**) and include:

- CTA Bus Routes 93 and 206, which are accessible via bus stops at the intersection of Church Street / Dodge Avenue. Route 93 connects with the CTA "El" Kimball Brown Line Station, Davis Purple Line Station, and Metra's (UP-N) Davis Street/Evanston Station. Route 206 connects with the CTA Howard Red/Purple/Yellow Station, as well as Metra's (UP-N) Central St. Station.
- Pace Bus Routes 208 and 213 "H" which are accessible via bus stops at the intersection of Church Street / Dodge Avenue. Route 208 connects with the CTA "El" Davis Purple Line Station and Metra's (UP-N) Davis Street/Evanston Station. This route also connects to Pace's Northwest Transportation Center in Schaumburg. Route 213 connects with the CTA Davis Purple Line Station and Howard Red/Purple/Yellow Station, as well as Metra's (UP-N) Davis St., Wilmette, Winnetka, Hubbard Woods, Glencoe, Braeside, and Highland Park Stations.
- Dedicated east-west cycle track located along the south side of Church Street which currently runs from Dodge Avenue east through the study area. There are plans to extend similar bicycle accommodations west from Dodge Avenue to McCormick Boulevard.
- Divvy bike sharing station along the south side of Church Street.
- Sidewalks which are provided along all study roadways, except the Church Street Alley.
- High visibility "ladder" style crosswalks, which are provided on all legs of the signalized intersection of Church Street/Dodge Avenue. A standard crosswalk is also provided on the south leg of the unsignalized intersection of Church Street/Darrow Avenue.
- The (UP-N) rail line which is accessible via the Davis Street/Evanston Station located approximately 3,500 feet east of the site.
- The CTA "L" Purple rail line, which is accessible via the Davis Station located approximately 3,800 feet east of the site.

Traffic Count Data

Turning movement count data was collected in January 2022 at the intersections listed below. The counts were conducted on a typical weekday from 7:00 to 9:00AM and 3:00 to 6:00PM. These time periods coincide with the typical peak traffic periods of the surrounding street system.

- Church Street and Dodge Avenue
- Church Street and Darrow Avenue
- Darrow Avenue and Church Street Alley

- Dodge Avenue and Church Street Alley

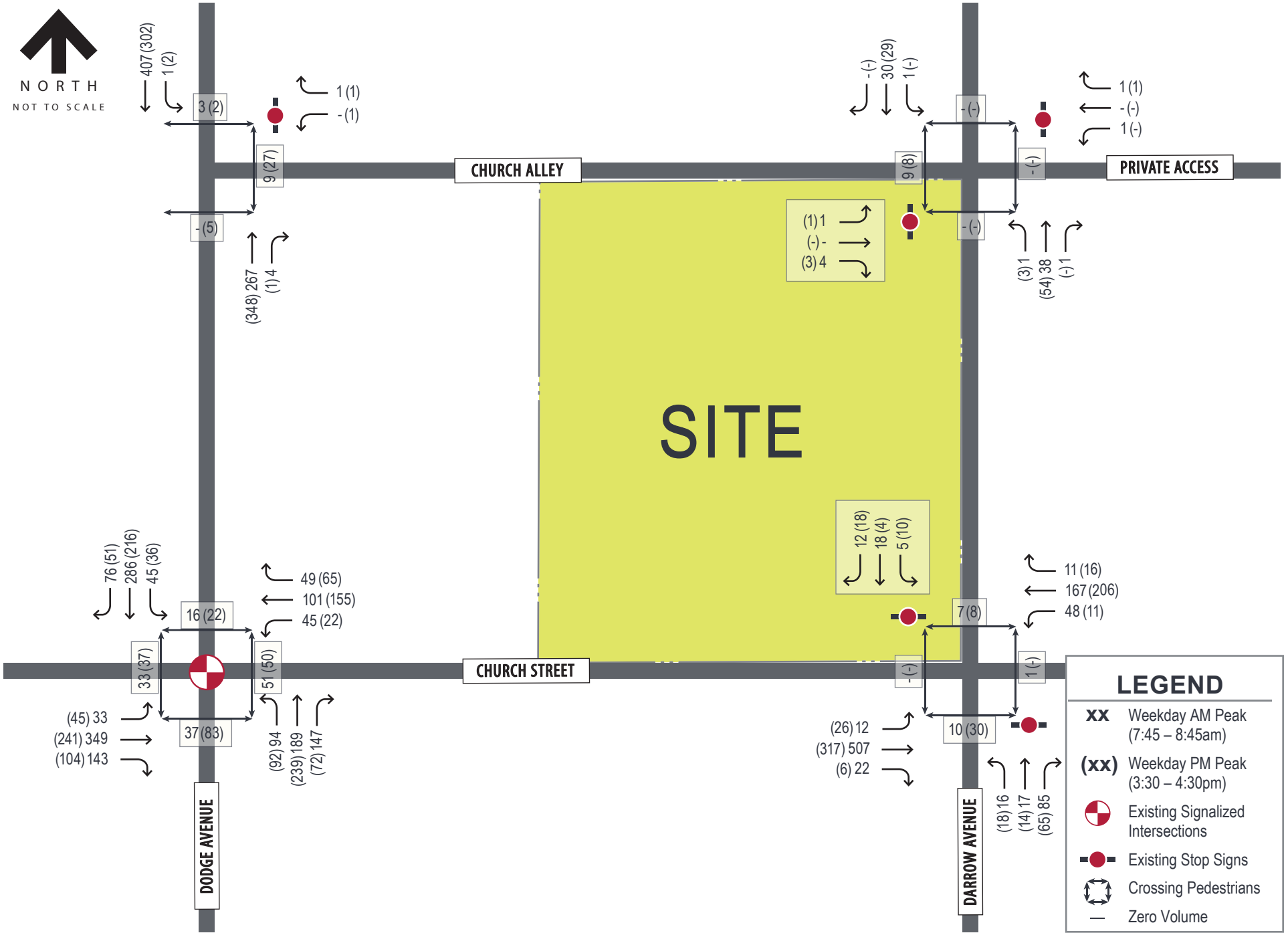
The weekday peak traffic volumes occur within the study area from 7:45 to 8:45AM and 3:30 to 4:30PM. For purposes of this analysis, the peak hour traffic volumes were balanced between intersections. Existing peak hour traffic volumes are presented in **Exhibit 3**. A summary of the traffic count data is provided in **Appendix B**.



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EXHIBIT 2

EXISTING SITE AND PARKING OPERATIONS MAP



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EXHIBIT 3

EXISTING (2022) TRAFFIC VOLUMES

Crash Analysis

Kimley-Horn obtained crash data from IDOT Division of Safety for the most recent available five years (2016-2020) throughout the study area. A total of 40 crashes occurred within the study area over the five-year data collection period. Approximately two-thirds (28 of 40) of these crashed resulted in property damage only. Five crashes resulted in at least one minor injury, while a further six resulted in at least one serious injury. One crash, on Dodge Avenue, resulted in an incapacitating injury. No crashes resulted in fatalities.

More than half (24 of 40) of the crashes reviewed occurred at intersections. Two-thirds of the intersection crashes occurred at Church Street / Dodge Avenue, the remaining crashes split between the Church Street / Darrow Avenue and Dodge Avenue / Alley intersections. No intersection-related crashes were recorded at the Darrow Avenue / Alley intersection.

A total of four pedestrian and cyclist related crashes occurred. Details for each of these events are summarized below:

- One cyclist was struck by a driver at the Church Street / Dodge Avenue intersection, resulting in a serious injury. The crash occurred during the day.
- One pedestrian was struck by a driver at the Church Street / Dodge Avenue intersection, resulting in a serious injury. The crash occurred during the day.
- One pedestrian was struck by a driver performing a left-turn at the Church Street / Darrow Avenue Street intersection, resulting in a serious injury. The crash occurred after dark.
- One pedestrian was struck by a driver along Dodge Avenue, resulting in a minor injury. The crash occurred after dark.

Crash types by intersection and segment are summarized in **Table 2.1**, and an exhibit of crash locations is provided in **Appendix C**.

Table 2.2.1 Crash Analysis Summary (2016-2020)

Crash Type	Intersection			Segment			Total
	Church Street / Dodge Avenue	Church Street / Darrow Avenue	Dodge Avenue / Alley	Church Street	Dodge Avenue	Darrow Avenue	
Angle	-	-	-	-	1	1	**2**
Fixed Object	3	1	-	-	-	-	**4**
Front to Front	-	-	-	-	-	1	**1**
Front to Rear	6	1	1	1	1	-	**10**
Parked Motor Vehicle	3	1	1	2	4	1	**12**
Pedestrian / Cyclist	2	1	-	-	1	-	**4**
Sideswipe – Same Direction	1	-	-	1	1	-	**3**
Turning	1	2	-	1	-	-	**4**
Total	**16**	**6**	**2**	**5**	**8**	**3**	**40**

Parking Availability

During the site field visit conducted, Kimley-Horn also collected information about parking in the area. Parking operations are depicted on **Exhibit 2**. An existing public parking lot is located in the northeast corner of the proposed site and provides 10 parking stalls. On the day of the site visit, which was a weekday in January, it was observed that 2 of the approximate 10 available parking stalls in that lot were occupied. An additional public surface parking lot is located at the southeast corner of the intersection of Church Street and Dodge Avenue. As can be seen in Appendix A, this lot contains signage dedicating its use for local businesses only without the allowance of Evanston Township High School (ETHS) parking. On the day of the site visit, it was observed that 7 of the 52 available parking stalls in that lot were occupied.

Additionally, street parking is generally available throughout the study area. Each section of parking has specific guidelines/restrictions, which are displayed in detail Appendix A. It is worth noting that 8 parallel parking stalls are currently provided along the north side of Church Street, immediately south of the proposed development. These stalls currently allow for two-hour parking from 9AM-6PM, except for Sundays and holidays where this restriction is lifted. It is also worth noting that parking along the west side of Darrow Avenue, immediately east of the proposed development, is prohibited.

Existing Capacity Analysis

Capacity analysis for the existing and future conditions was performed using Synchro Version 11. The capacity of an intersection quantifies its ability to accommodate traffic volumes and is expressed in terms of level of service (LOS), measured in average delay per vehicle. LOS grades range from A to F, with LOS A as the highest (best traffic flow and least delay), LOS E as saturated or at-capacity conditions, and LOS F as the lowest (oversaturated conditions). LOS C is often considered for "design" purposes and LOS D is often considered as the lower threshold of providing acceptable traffic operations.

The LOS grades shown below, which are provided in the Transportation Research Board's Highway Capacity Manual (HCM), quantify and categorize the driver's discomfort, frustration, fuel consumption, and travel times experienced as a result of intersection control and the resulting traffic queuing. A detailed description of each LOS rating can be found in **Table 2.2**

Table 2.2 Level of Service Grading Descriptions[1]

Level of Service	Description
A	Minimal control delay; traffic operates at primarily free-flow conditions; unimpeded movement within traffic stream.
B	Minor control delay at signalized intersections; traffic operates at a fairly unimpeded level with slightly restricted movement within traffic stream.
C	Moderate control delay; movement within traffic stream more restricted than at LOS B; formation of queues contributes to lower average travel speeds.
D	Considerable control delay that may be substantially increased by small increases in flow; average travel speeds continue to decrease.
E	High control delay; average travel speed no more than 33 percent of free flow speed.
F	Extremely high control delay; extensive queuing and high volumes create exceedingly restricted traffic flow.

[1]Highway Capacity Manual, 6th Edition.

The range of control delay for each rating (as detailed in the HCM) is shown in **Table 2.3**. Because signalized intersections are expected to carry a larger volume of vehicles and stopping is required during red time, note that higher delays are tolerated for the corresponding LOS ratings.

Table 2.3 Level of Service Grading Criteria[1]

Level of Service	Average Control Delay (s/veh) at:	
	Unsignalized Intersections	Signalized Intersections
A	0 – 10	0 – 10
B	> 10 – 15	> 10 – 20
C	> 15 – 25	> 20 – 35
D	> 25 – 35	> 35 – 55
E	> 35 – 50	> 55 – 80
F[2]	> 50	> 80

[1]Highway Capacity Manual, 6th Edition

[2]All movements with a Volume to Capacity (v/C) ratio greater than 1 receive a rating of LOS F.

Based on these standards, capacity results were identified for the study intersections under existing conditions. The results of capacity analysis for existing conditions are summarized in **Table 2.4**. In this table, operation on each approach is quantified according to the average delay per vehicle and the corresponding level of service. The results for the unsignalized study intersections are based on HCM 6th Edition capacity analysis, while results for the signalized intersection of Church Street / Dodge Avenue are based on Synchro Lanes, Volumes, Timings (LVT) results. Synchro LVT analysis was performed at this location due to limitations in HCM methodology preventing the analysis of intersections along roads with speed limits less than 25 MPH. The speed limit posted along Church Street through the study area is only 20 MPH. Signal timings at Church Street / Dodge Avenue were obtained from City of Evanston. Copies of the Synchro reports are provided in **Appendix D**.

Table 2.4 Existing (2022) Levels of Service

Intersection	Weekday AM Peak Hour		Weekday PM Peak Hour	
	Delay (s/veh)	LOS	Delay (s/veh)	LOS
Church Street / Dodge Avenue ★				
Eastbound	24	C	17	B
Westbound	21	C	18	B
Northbound	18	B	19	B
Southbound	29	C	26	C
Intersection	23	C	20-	B
Church Street / Darrow Avenue △				
Eastbound (Left)	8	A	8	A
Westbound (Left)	9	A	8	A
Northbound	18	C	14	B
Southbound	18	C	14	B
Dodge Avenue / Church Alley △				
Westbound	12	B	13	B
Southbound (Left)	8	A	8	A
Darrow Avenue / Church Alley / Private Access △				
Eastbound	9	A	9	A
Westbound	9	A	9	A
Northbound (Left)	7	A	7	A
Southbound (Left)	7	A	7	A

△-Minor-Leg Stop-Controlled Intersection ★ -Signalized Intersection

All study intersections currently operate at LOS C or better during both morning and evening peak hours. The study intersections experience slightly more delay during the morning peak hour as students and parents travel to the nearby Evanston Township High School for the beginning of the school day. This same rush of traffic is not experienced during the evening peak hour due to the staggered arrival/departure of school-bound trips as more after-school activities take place. Significant pedestrian traffic is present in the area due to the proximity of this facility, which also attributes to any delay at the study intersections.

The 95th percentile queues for all stop-controlled movements during the morning and evening peak hours throughout the study area are one vehicle or less. The 95th percentile queues during both peak hours for the turning movements at the intersection of Church Street / Dodge Avenue are accommodated within the provided storage.

3. DEVELOPMENT CHARACTERISTICS

This section of the report outlines the proposed site plan, summarizes site-specific traffic characteristics, and develops future traffic projections for analysis.

Proposed Site Plan

The proposed development would include one mixed-use building and one church. The first building contains retail/commercial space at ground level with low-income multi-family residences provided above from the second through fifth floors. The second building contains the two-story relocated Mt. Pisgah Ministry. A site plan prepared by Cordogan Clark dated April 21, 2022 for the mixed-use development and a site plan prepared by Suzuki+Kidd Architects dated April 22, 2022 for the church can be found in the **Appendix E**. Auto access to the five-story mixed-use building will be provided via a new drive to be located at the north end of the site which will be accessed off the Church Street Alley. Auto access to the relocated Mt. Pisgah Ministry is expected to be accommodated by existing parking options located near the site. The proposed development will include the following components:

- 44 affordable housing multi-family residential units
- 3,546 square feet of commercial retail space
- 208 seat church with accessory meeting and office space

Trip Generation

To calculate trips generated by the proposed development, data was referenced from the Institute of Transportation Engineers (ITE) Trip Generation Manual, Eleventh Edition. Copies of the ITE data sheets are provided in **Appendix F**.

To provide a conservative analysis scenario and estimate the number of trips generated by the affordable housing units, multiple land use codes (LUCs) were compared to determine a conservative fit that would appropriately model transportation demand. Because this residential development contains characteristics that align with multiple LUCs, **Tables 3.1 and 3.2** below display the differences in the predicted number of generated trips.

Table 3.1 ITE Trip Generation Data – Residential Land Use

ITE Land Use	Unit	Weekday		
		Daily	AM Peak Hour	PM Peak Hour
Multi-Family Housing (Mid-Rise) – Not Close to Rail Transit[1] - LUC 221	Dwelling Units	4.77X – 46.46	0.44X – 11.61	0.39X + 0.34
Multi-Family Housing (Mid-Rise) – Close to Rail Transit[1] - LUC 221	Dwelling Units	4.75X	0.31X + 1.06	0.29X – 0.09
Affordable Housing – LUC 223	Dwelling Units	3.73X + 139.35	0.21X + 17.21	Ln(T) = 0.72 Ln(X) + 0.64

[1]The subject site is located approximately 3,500 feet west of the Davis Street/Evanston Union-Pacific North rail line station and approximately 3,800 feet west of the Davis CTA Purple Line rail station. The intersection at Church Street/Dodge Avenue also provides bus stops for CTA Bus Routes 93 and 206 and Pace Bus Routes 208 and 213 “H”.

Table 3.2 ITE Trip Generation Comparison – Residential Land Use

Land Use	Size	Daily	Weekday					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Multi-Family Housing (Mid-Rise) – Not Close to Rail Transit	44 DU	163	2	6	8	11	7	18
Multi-Family Housing (Mid-Rise) – Close to Rail Transit	44 DU	209	8	7	15	5	8	13
Affordable Housing	44 DU	303	8	18	26	17	12	29

Based on a comparison of the difference in estimated site-generated trips arising from using various ITE Land Use Codes, it was determined to utilize Affordable Housing – LUC 223 to provide the most conservative estimate for the projected site-generated traffic volumes for this portion of the proposed development. **Table 3.3** displays trip generation data for the remaining land uses of the site, while including LUC 223 for the residential development. It should be noted that the data presented for Multi-Family Housing – Close to Rail Transit land use category seems counterintuitive, as generally vehicular trips decrease as access to transit increases. This irregularity is due to the lack of data that ITE posses for the "Close to Rail Transit" subcategory and does not impact the analysis due to the selection of Affordable Housing land use category.

Table 3.3 ITE Trip Generation Data – Overall Development

Land Use	Size	Weekday		
		Daily	AM Peak Hour	PM Peak Hour
Strip Retail Plaza - LUC 822	/ 1000 SF GFA	42.20X + 229.68	Ln(T) = 0.66 Ln(X) + 1.84	Ln(T) = 0.71 Ln(X) + 2.72
Affordable Housing – LUC 223	Dwelling Units	3.73X + 139.35	0.21X + 17.21	Ln(T) = 0.72 Ln(X) + 0.64
Church – LUC 560[1]	Seats	N/A	N/A	N/A

[1]The Mt. Pisgah Ministry holds nightly corporate prayer services from 6-7pm on Mondays-Fridays and weekly religious service at 11am on Sundays. These hours do not align with the AM and PM peak hours of the adjacent roadway facilities in which this analysis is based.

Note the absence of site-generated trips from the proposed relocation of the Mt. Pisgah Ministry. After a review of the church's website and conversations with church representatives, it was determined that the peak hour of the facility does not align with the weekday peak hours of the other land uses proposed for this development. Site-generated traffic attributed to the proposed relocation of the Mt. Pisgah Ministry was therefore not included in this analysis. **Table 3.4** summarizes the daily, weekday morning, and weekday evening peak hour trip generations of the remaining proposed land uses of the development.

Table 3.4 Site-Generated Traffic Projections

Land Use	Size	Daily	Weekday					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Affordable Housing	44 DU	303	8	18	26	17	12	29
Strip Retail Plaza	3,546 SF	379	9	6	15	19	18	37
Church[1]	208 Seats	-	-	-	-	-	-	-
	Subtotals =	**682**	**17**	**24**	**41**	**36**	**30**	**66**
	Less Non-Auto Trips @ 40%	-273	-7	-9	-16	-15	-12	-27
	Total New Trips =	**409**	**10**	**15**	**25**	**21**	**18**	**39**

[1]The Mt. Pisgah Ministry does not hold services during the AM and PM peak hours of the adjacent roadway facilities. Therefore, all site-generated trips from this land use are not considered in this analysis.

US census data indicates that an average of 40% of Evanston workers in the adjacent census tracts of the study area use alternate modes of transportation, as displayed in the **Appendix G**. Due to this finding and the existence of multiple non-auto transportation options in the area, a trip discount of 40% was applied to the site-generated traffic projections of the development. This discount is reflected in **Table 3.4**, as it is anticipated that the diverse, yet compatible array of uses in such a public transit-rich area will create many opportunities for non-auto trips.

Directional Distribution

The estimated distribution of site-generated traffic on the surrounding roadway network as it approaches and departs the site is a function of several variables, such as the nature of surrounding land uses, prevailing traffic volumes/patterns, characteristics of the street system, and the ease of motorist travel. The anticipated directional distribution is shown in **Table 3.5.** The total trip assignment is presented in **Exhibit 4** on the following page**.**

Table 3.5 Estimated Trip Distribution

Traveling to/from	Estimated Trip Distribution
West on Church Street	30%
East on Church Street	25%
South on Dodge Avenue	25%
North on Dodge Avenue	15%
North on Darrow Avenue	5%
Total	100%



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EXHIBIT 4
TRIP ASSIGNMENT

Parking Considerations

Before evaluating the total requirement of off-street parking spaces required for the development, the City of Evanston Code of Ordinances was referenced to determine if the development qualified for any reductions in parking due to its transit-oriented location. Areas in Evanston that qualify for such a reduction are limited to zoning districts D1, D2, D3, and D4 (as dictated in Title 6, Chapter 16-3-5 of the Code of Ordinances) in addition to City of Evanston defined TOD (Transit-Oriented Development) areas. The proposed development is not in one of the specified zoning districts and is not located in a TOD area, so any parking requirements dictated by the City code were not applied.

The City of Evanston Code of Ordinances Table 16-B – Schedule of Minimum Off Street Parking Requirements dictates the provision of 1 parking stall for every 10 seats in the main auditorium, assembly hall, or sanctuary of a religious institution. Considering the proposed 208-seat relocation of Mt. Pisgah Ministry, the resulting total church parking required is **21 total parking spaces**.

It is assumed that the 21 total parking spaces required for the facility will be available through nearby on-street parking options and existing public parking lots in the area. The existing public parking lot on the northeast corner of the site, which will be resurfaced for the development, will provide 7 public parking stalls (1 of which is ADA accessible) and is assumed to be open for church parking use. The existing public parking lot on the southeast corner of Dodge Avenue / Church Street additionally provides 52 parking stalls for local businesses and is located within 1,200 feet of the proposed church, which allows the spaces to be utilized to meet the zoning requirement as long as an agreement is reached between the church and the owner of the parking lot. Street parking along Darrow and Church Street will also allow for parking during church hours.

The City of Evanston Code of Ordinances 6-15-1-5 provides guidance for the calculation of off-street parking requirements for mixed use developments that receive the Inclusionary Housing Bonuses (IHO), such as the proposed five-story residential and retail building. The list below determines parking requirements for the proposed five-story mixed residential and commercial building.

- Multiple-family dwellings
    - Dwelling unit with 1 or fewer bedrooms: 0.75 parking spaces for each dwelling unit
    - Dwelling unit with 2 bedrooms: 1.25 parking spaces for each dwelling unit
    - Dwelling unit with 3 or more bedrooms: 1.5 spaces for each dwelling unit
    - Inclusionary Dwelling Unit: No parking required
- Retail Goods/Services Establishments and Food Stores
    - 1 parking space per 350 square feet of gross floor area

Based on the site plan provided in Appendix E, the proposed retail portions of the five-story building in the development will contain a combined 3,546 square feet of gross floor area. Using the rates provided above and removing 2,000 square feet that is exempt per City code, the resulting total retail parking required by the City of Evanston is roughly **4 total parking spaces**.

While the guidance provided in the City of Evanston Code of Ordinances helps determine the number of off-street parking stalls required for multiple-family dwellings, due to the nature of the low-income housing, it is anticipated that auto ownership of the eventual residents of the proposed development will be lower than market rate multi-family housing. The proposed residential development will contain 13 one-bedroom units (incl. 2 IHO), 20 two-bedroom units (incl. 4 IHO), and 11 three-bedroom units

(incl 3 IHO). Using the rates provided above, the resulting total residential parking required by the City of Evanston is roughly **41 total parking spaces.** However, the ITE Parking Generation Manual, Fifth Edition was further referenced to determine empirical parking demand for a residential development of this nature. As displayed in **Appendix H**, the peak parking demand on a typical weekday for LUC 223 – Affordable Housing is projected at **28 parking spaces.** Additionally, the peak parking demand on a typical Saturday is projected at 21 parking spaces.

The site plan indicates that 47 total parking spaces are to be provided, which exceeds the typical requirements of a development of this nature as defined in the ITE Parking Generation Manual, Fifth Edition, while also exceeding the City of Evanston code requirement of 45 spaces. Due to the site's proximity to numerous non-auto transit options and the typical parking requirements of similar developments, it is anticipated that the proposed parking supply of 47 parking spaces will adequately accommodate peak parking demand.

The site plan depicts the conversion of 2 of the 8 on-street parking stalls to a shared loading/drop-off zone that are currently provided along the north side of Church Street, immediately south of the development. A bump-out at the northwest quadrant of Church Street and Darrow Avenue is recommended to shorten crossing distance for pedestrians. The 6 remaining parking stalls along the north side of Church Street are recommended to remain to facilitate access to the proposed retail development.

4. FUTURE CONDITIONS

This section of the report outlines the proposed site plan, summarizes site-specific traffic characteristics, and develops future projections for analysis.

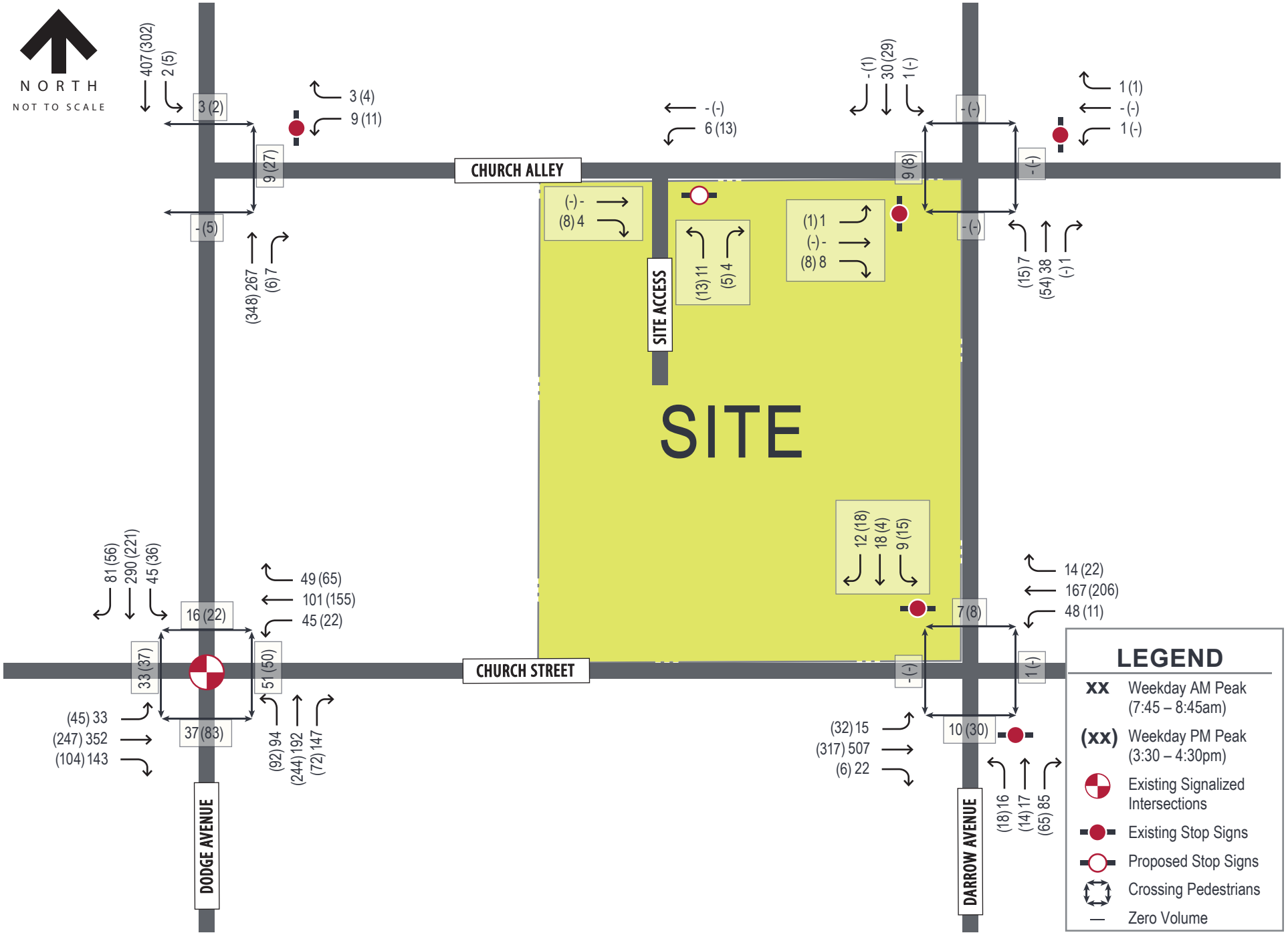
Build Capacity Analysis

Build volumes, composed of background traffic (Exhibit 3) and the site trip assignment (Exhibit 4), are presented in **Exhibit 5**. Based on the volumes presented in Exhibit 5, capacity results were identified for the study intersections under Build conditions. The results of the capacity analysis are summarized in **Table 4.1**. Consistent with the Existing (2022) Conditions analysis, the results are based on Synchro's HCM 6th Edition with the exception of the signalized intersection of Church Street / Dodge Avenue, which is based on Synchro LVT reporting due to the existing posted speed limit along Church Street. Copies of the Synchro reports are included in **Appendix I**.

Table 4.1 Build Levels of Service

Intersection	Weekday AM Peak Hour		Weekday PM Peak Hour	
	Delay (s/veh)	LOS	Delay (s/veh)	LOS
Church Street / Dodge Avenue ✱				
Eastbound	24	C	18	B
Westbound	21	C	18	B
Northbound	18	B	18	B
Southbound	29	C	26	C
Intersection	23	C	20-	B
Church Street / Darrow Avenue △				
Eastbound (Left)	8	A	8	A
Westbound (Left)	9	A	8	A
Northbound	18	C	14	B
Southbound	20+	C	15	B
Dodge Avenue / Church Alley △				
Westbound	14	B	14	B
Southbound (Left)	8	A	8	A
Darrow Avenue / Church Alley / Private Access △				
Eastbound	9	A	9	A
Westbound	9	A	9	A
Northbound (Left)	7	A	7	A
Southbound (Left)	7	A	7	A
Church Alley / Site Access △				
Westbound (Left)	7	A	7	A
Northbound	9	A	9	A

△-Minor-Leg Stop-Controlled Intersection ✱ -Signalized Intersection



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EXHIBIT 5

BUILD (2022) TRAFFIC PROJECTIONS

With the addition of site-generated traffic, delay is expected to slightly increase as compared to existing conditions. All study intersections are expected to continue operating at the same level of service in both morning and evening peak hours with the exception of the Church Street / Dodge Avenue. The westbound and northbound movements at this intersection are expected to operate at LOS C (as compared to LOS B under Existing conditions). No improvements are recommended as the LOS is well within acceptable operations.

The 95th percentile queues for all stop-controlled movements during the morning and evening peak hours throughout the study area are projected to remain at one vehicle or less. Furthermore, the 95th percentile queues during both peak hours for the turning movements at the intersection of Church Street / Dodge Avenue are projected to remain within the provided storage.

5. RECOMMENDATIONS & CONCLUSIONS

Based on Kimley-Horn's review of the proposed site plan and evaluation of existing and future traffic conditions, the existing roadway network will readily accommodate the proposed development traffic. No major geometric improvements, such as adding turn lanes, are anticipated to be needed.

Thus, the following recommendations focus on site operations:

- Create a sidewalk bump-out at the northwest corner of the intersection of Church Street / Darrow Avenue. A striped crosswalk across Darrow Avenue at this location is also recommended and will help draw pedestrian trips and facilitate safe access to the proposed development.
- Maintain the existing parking stalls along the north side of Church Street between Dodge Avenue and Darrow Avenue.
- Replace any sidewalk that is displaced during development.
- Provide Stop control and a stop bar for northbound site traffic exiting onto the Church Street Alley at the new access drive.
- Bike storage / racks should be provided for both residents of the multi-family dwellings and the commercial uses to encourage use of the existing dedicated bike facilities along Church Street and Dodge Avenue.
- The project civil engineer should run AutoTurn to examine turning operations at the new access drive and throughout the study area.

TECHNICAL APPENDIX

A. Photo Inventory

B. Traffic Count Data

C. IDOT Crash Data

D. Existing (2022) Capacity Reports

E. Conceptual Site Plan

F. ITE Trip Generation Data

G. Census Data

H. ITE Parking Generation Data

I. Build Capacity Reports

A. PHOTO INVENTORY



NORTHBOUND APPROACH OF
CHURCH ST / DODGE AVE INTERSECTION



SOUTHBOUND APPROACH OF
CHURCH ST / DODGE AVE INTERSECTION



EASTBOUND APPROACH OF
CHURCH ST / DODGE AVE INTERSECTION



WESTBOUND APPROACH OF
CHURCH ST / DODGE AVE INTERSECTION



NORTHBOUND APPROACH OF
CHURCH ST / DARROW AVE INTERSECTION



SOUTHBOUND APPROACH OF
CHURCH ST / DARROW AVE INTERSECTION



EASTBOUND APPROACH OF
CHURCH ST / DARROW AVE INTERSECTION



WESTBOUND APPROACH OF
CHURCH ST / DARROW AVE INTERSECTION



NORTHBOUND APPROACH OF
DODGE AVE / CHURCH ALLEY INTERSECTION



SOUTHBOUND APPROACH OF
DODGE AVE / CHURCH ALLEY INTERSECTION



WESTBOUND APPROACH OF
DODGE AVE / CHURCH ALLEY INTERSECTION



NORTHBOUND APPROACH OF
DARROW AVE / CHURCH ALLEY INTERSECTION



SOUTHBOUND APPROACH OF
DARROW AVE / CHURCH ALLEY INTERSECTION



EASTBOUND APPROACH OF
DARROW AVE / CHURCH ALLEY INTERSECTION



WESTBOUND APPROACH OF
DARROW AVE / CHURCH ALLEY INTERSECTION



DODGE AVE EASTBOUND PACE BUS STOP



DODGE AVE & CHURCH ST DIVY BIKE STATION



DODGE AVE EASTBOUND BIKE PATH



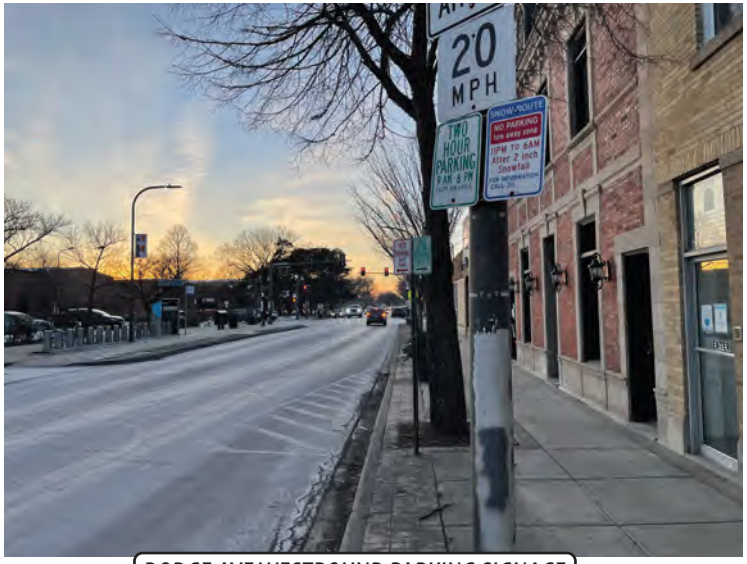
DODGE AVE EASTBOUND PARKING SIGNAGE



DODGE AVE EASTBOUND PARKING SIGNAGE



DODGE AVE WESTBOUND PARKING SIGNAGE



DODGE AVE WESTBOUND PARKING SIGNAGE



DODGE AVE WESTBOUND PARKING SIGNAGE



NORTHBOUND DODGE AVE PARKING SIGNAGE



NORTHBOUND DODGE AVE CTA BUS STOP



SOUTHBOUND DODGE AVE CTA BUS STOP



NORTHBOUND DODGE AVE PARKING SIGNAGE



SIGNAGE AT PUBLIC PARKING LOT AT SOUTHEAST CORNER OF CHURCH ST/DODGE AVE INTERSECTION



PUBLIC PARKING LOT AT NORTHEAST CORNER OF PROPOSED DEVELOPMENT



WESTBOUND CHURCH ALLEY & PUBLIC PARKING LOT



NORTHBOUND DARROW AVENUE PARKING SIGNAGE

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APPENDIX A
PHOTO INVENTORY

B. TRAFFIC COUNT DATA

Study Name 1_Church Street & Dodge Avenue
Date Thursday, January 20, 2022

Report Summary

		Eastbound						Westbound						Northbound						Southbound								Crosswalk	
Time Period	Class.	U	L	T	R	I	O	U	L	T	R	I	O	U	L	T	R	I	O	U	L	T	R	I	O	Total		Pedestrians	Total
AM Peak Period	Lights	0	30	337	142	509	256	0	42	93	40	175	524	0	91	177	146	414	458	0	41	274	72	387	247	1485	EB	33	33
Specified Period	%	0%	91%	95%	99%	96%	94%	0%	93%	92%	82%	90%	96%	0%	97%	94%	99%	96%	96%	0%	91%	95%	95%	95%	91%	95%		100%	
7:45 AM - 8:45 AM	Mediums	0	3	12	1	16	12	0	3	7	9	19	17	0	2	10	1	13	17	0	4	13	3	20	22	68	WB	51	51
One Hour Peak	%	0%	9%	3%	1%	3%	4%	0%	7%	7%	18%	10%	3%	0%	2%	5%	1%	3%	4%	0%	9%	5%	4%	5%	8%	4%		100%	
7:45 AM - 8:45 AM	Articulated Trucks	0	0	5	0	5	3	0	0	1	0	1	5	0	1	2	0	3	1	0	0	1	1	2	2	11	NB	37	37
	%	0%	0%	1%	0%	1%	1%	0%	0%	1%	0%	1%	1%	0%	1%	1%	0%	1%	0%	0%	0%	0%	1%	0%	1%	1%		100%	
	Total	0	33	354	143	530	271	0	45	101	49	195	546	0	94	189	147	430	476	0	45	288	76	409	271	1564		137	137
	PHF	0	0.82	0.77	0.78	0.88	0.74	0	0.66	0.77	0.72	0.73	0.92	0	0.65	0.84	0.68	0.77	0.77	0	0.62	0.77	0.76	0.77	0.88	0.86			
	HV %	0%	9%	5%	1%	4%	6%	0%	7%	8%	18%	10%	4%	0%	3%	6%	1%	4%	4%	0%	9%	5%	5%	5%	9%	5%			
	Bicycles on Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	SB	16	16
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		100%	
PM Peak Period	Lights	0	42	232	101	375	296	0	22	153	61	236	334	0	92	231	71	394	334	0	31	211	51	293	334	1298	EB	37	37
Specified Period	%	0%	93%	98%	97%	97%	98%	0%	100%	96%	94%	96%	97%	0%	100%	96%	99%	97%	97%	0%	86%	96%	100%	96%	95%	97%		100%	
3:30 PM - 4:30 PM	Mediums	0	3	4	3	10	4	0	0	4	4	8	10	0	0	10	1	11	10	0	5	7	0	12	17	41	WB	50	50
One Hour Peak	%	0%	7%	2%	3%	3%	1%	0%	0%	3%	6%	3%	3%	0%	0%	4%	1%	3%	3%	0%	14%	3%	0%	4%	5%	3%		100%	
3:30 PM - 4:30 PM	Articulated Trucks	0	0	0	0	0	2	0	0	2	0	2	0	0	0	0	0	0	1	0	0	1	0	1	0	3	NB	83	83
	%	0%	0%	0%	0%	0%	1%	0%	0%	1%	0%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		100%	
	Total	0	45	236	104	385	302	0	22	159	65	246	344	0	92	241	72	405	345	0	36	219	51	306	351	1342		192	192
	PHF	0	0.75	0.79	0.74	0.78	0.91	0	0.92	0.71	0.54	0.89	0.69	0	0.68	0.81	0.49	0.7	0.89	0	0.75	0.87	0.64	0.96	0.74	0.82			
	HV %	0%	7%	2%	3%	3%	2%	0%	0%	4%	6%	4%	3%	0%	0%	4%	1%	3%	3%	0%	14%	4%	0%	4%	5%	3%			
	Bicycles on Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	SB	22	22
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		100%	

Study Name 2_Church Street & Darrow Avenue
Date Thursday, January 20, 2022

Report Summary

		Eastbound						Westbound						Northbound						Southbound								Crosswalk	
Time Period	Class.	U	L	T	R	I	O	U	L	T	R	I	O	U	L	T	R	I	O	U	L	T	R	I	O	Total		Pedestrians	Total
AM Peak Period	Lights	0	12	481	22	515	174	0	47	149	11	207	570	0	16	18	85	119	87	0	4	18	9	31	41	872	EB	0	0
Specified Period	%	0%	100%	96%	100%	96%	90%	0%	98%	90%	100%	92%	96%	0%	100%	100%	100%	100%	99%	0%	80%	100%	75%	89%	100%	95%		0%	
7:45 AM - 8:45 AM	Mediums	0	0	16	0	16	19	0	1	16	0	17	17	0	0	0	0	0	1	0	1	0	3	4	0	37	WB	0	0
One Hour Peak	%	0%	0%	3%	0%	3%	10%	0%	2%	10%	0%	8%	3%	0%	0%	0%	0%	0%	1%	0%	20%	0%	25%	11%	0%	4%		0%	
7:45 AM - 8:45 AM	Articulated Trucks	0	0	5	0	5	1	0	0	1	0	1	5	0	0	0	0	0	0	0	0	0	0	0	0	6	NB	10	10
	%	0%	0%	1%	0%	1%	1%	0%	0%	1%	0%	0%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%		100%	
	Total	0	12	502	22	536	194	0	48	166	11	225	592	0	16	18	85	119	88	0	5	18	12	35	41	915		17	17
	PHF	0	0.5	0.9	0.55	0.92	0.71	0	0.46	0.75	0.69	0.66	0.85	0	0.5	0.64	0.52	0.53	0.46	0	0.42	0.38	0.6	0.51	0.64	0.75			
	HV %	0%	0%	4%	0%	4%	10%	0%	2%	10%	0%	8%	4%	0%	0%	0%	0%	0%	1%	0%	20%	0%	25%	11%	0%	5%			
	Bicycles on Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	SB	7	7
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		100%	
PM Peak Period	Lights	0	24	314	6	344	227	0	11	192	16	219	389	0	18	14	65	97	21	0	10	4	17	31	54	691	EB	0	0
Specified Period	%	0%	96%	97%	100%	97%	96%	0%	100%	96%	100%	96%	98%	0%	100%	100%	100%	100%	100%	0%	100%	100%	94%	97%	98%	97%		0%	
3:30 PM - 4:30 PM	Mediums	0	1	9	0	10	9	0	0	8	0	8	9	0	0	0	0	0	0	0	0	0	1	1	1	19	WB	1	1
One Hour Peak	%	0%	4%	3%	0%	3%	4%	0%	0%	4%	0%	4%	2%	0%	0%	0%	0%	0%	0%	0%	0%	0%	6%	3%	2%	3%		100%	
3:30 PM - 4:30 PM	Articulated Trucks	0	0	0	0	0	1	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	NB	30	30
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		100%	
	Total	0	25	323	6	354	237	0	11	201	16	228	398	0	18	14	65	97	21	0	10	4	18	32	55	711		39	39
	PHF	0	0.78	0.68	0.3	0.73	0.91	0	0.39	0.85	0.44	0.9	0.67	0	0.5	0.39	0.52	0.53	0.4	0	0.62	1	0.75	0.89	0.62	0.76			
	HV %	0%	4%	3%	0%	3%	4%	0%	0%	4%	0%	4%	2%	0%	0%	0%	0%	0%	0%	0%	0%	0%	6%	3%	2%	3%			
	Bicycles on Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	SB	8	8
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		100%	

Study Name 3_Dodge Avenue & Church Alley
Date Thursday, January 20, 2022

Report Summary

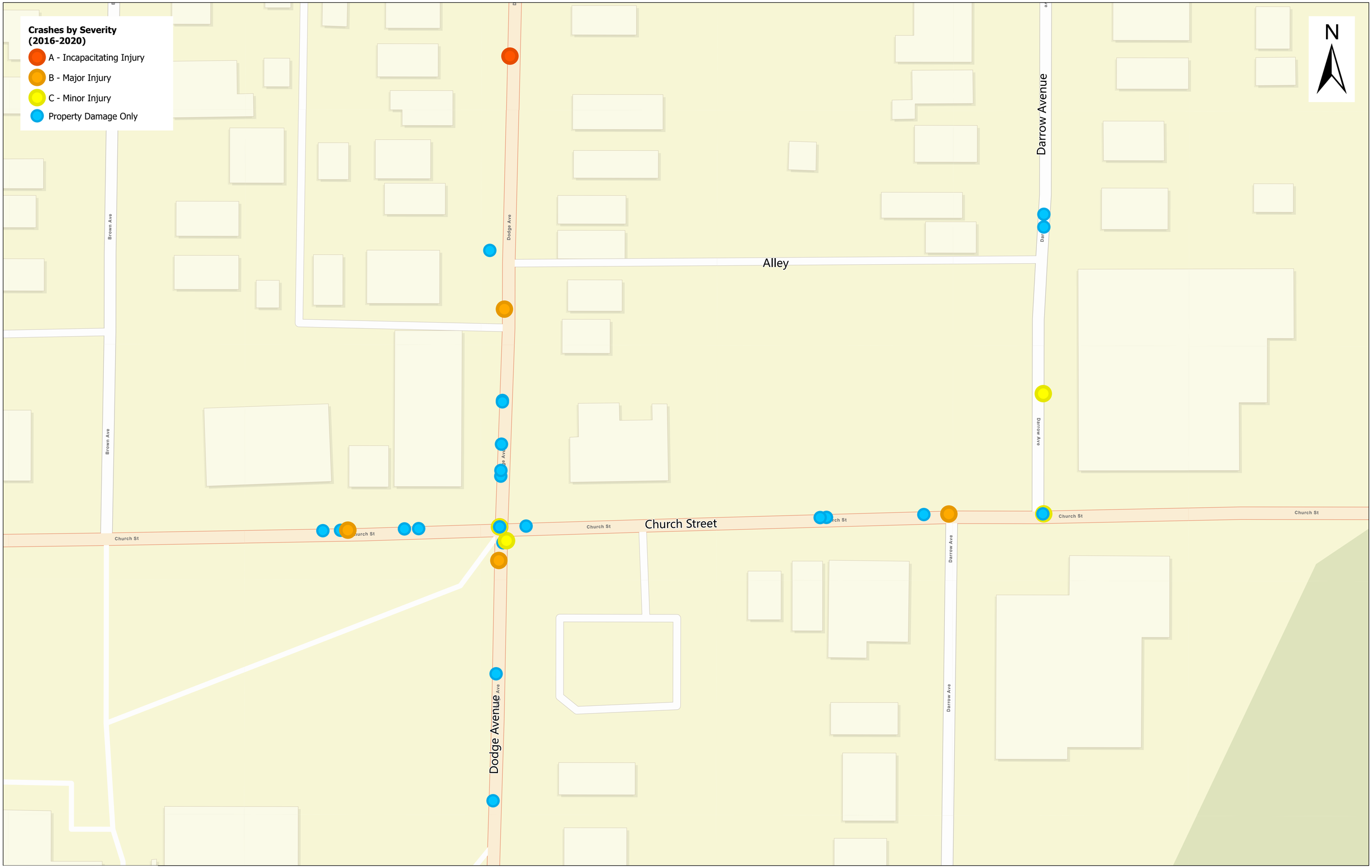
		Southbound					Westbound					Northbound						Crosswalk	
Time Period	Class.	T	L	U	I	O	R	L	U	I	O	R	T	U	I	O	Total	Pedestrians	Total
AM Peak Period	Lights	384	1	1	386	248	1	0	0	1	3	2	246	0	248	384	635	SB	3	3
Specified Period	%	95%	100%	100%	95%	92%	100%	0%	0%	100%	60%	50%	92%	0%	91%	95%	93%		100%	
7:00 AM - 9:15 AM	Mediums	18	0	0	18	22	0	0	0	0	2	2	22	0	24	18	42	WB	9	9
One Hour Peak	%	4%	0%	0%	4%	8%	0%	0%	0%	0%	40%	50%	8%	0%	9%	4%	6%		100%	
7:45 AM - 8:45 AM	Articulated Trucks	3	0	0	3	0	0	0	0	0	0	0	0	0	0	3	3	NB	0	0
	%	1%	0%	0%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%		0%	
	Total	405	1	1	407	270	1	0	0	1	5	4	268	0	272	405	680			
	PHF	0.79	0.25	0.25	0.79	0.85	0.25	0	0	0.25	0.62	1	0.84	0	0.84	0.79	0.84			
	HV %	5%	0%	0%	5%	8%	0%	0%	0%	0%	40%	50%	8%	0%	9%	5%	7%			
	Bicycles on Road	1	0	0	1	1	0	0	0	0	0	0	1	0	1	1	2		12	12
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%			
PM Peak Period	Lights	285	2	0	287	330	1	1	0	2	3	1	329	1	331	287	620	SB	2	2
Specified Period	%	96%	100%	0%	96%	95%	100%	100%	0%	100%	100%	100%	95%	100%	95%	96%	95%		100%	
3:00 PM - 6:15 PM	Mediums	12	0	0	12	16	0	0	0	0	0	0	16	0	16	12	28	WB	27	27
One Hour Peak	%	4%	0%	0%	4%	5%	0%	0%	0%	0%	0%	0%	5%	0%	5%	4%	4%		100%	
3:30 PM - 4:30 PM	Articulated Trucks	1	0	0	1	0	0	0	0	0	0	0	0	0	0	1	1	NB	5	5
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		100%	
	Total	298	2	0	300	347	1	1	0	2	3	1	346	1	348	300	650			
	PHF	0.91	0.5	0	0.91	0.74	0.25	0.25	0	0.5	0.38	0.25	0.74	0.25	0.74	0.9	0.86			
	HV %	4%	0%	0%	4%	5%	0%	0%	0%	0%	0%	0%	5%	0%	5%	4%	4%			
	Bicycles on Road	0	0	0	0	1	0	0	0	0	0	0	1	0	1	0	1		34	34
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%			

Study Name 4_Darrow Avenue & Church Alley
Date Thursday, January 20, 2022

Report Summary

		Eastbound						Westbound						Northbound						Southbound							Crosswalk	
Time Period	Class.	U	L	T	R	I	O	U	L	T	R	I	O	U	L	T	R	I	O	U	L	T	R	I	O	Total		Pedestrians	Total
AM Peak Period	Lights	0	1	0	4	5	1	0	1	0	1	2	2	0	1	37	1	39	31	0	1	26	0	27	39	73	EB	9	9
Specified Period	%	0%	100%	0%	100%	100%	100%	0%	100%	0%	100%	100%	100%	0%	100%	100%	100%	100%	91%	0%	100%	90%	0%	90%	100%	96%		100%	
7:45 AM - 8:45 AM	Mediums	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	3	0	3	0	3	WB	0	0
One Hour Peak	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	9%	0%	0%	10%	0%	10%	0%	4%		0%	
7:45 AM - 8:45 AM	Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NB	0	0
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		0%	
	Total	0	1	0	4	5	1	0	1	0	1	2	2	0	1	37	1	39	34	0	1	29	0	30	39	76		9	9
	PHF	0	0.25	0	0.5	0.62	0.25	0	0.25	0	0.25	0.5	0.5	0	0.25	0.58	0.25	0.57	0.5	0	0.25	0.48	0	0.47	0.61	0.63			
	HV %	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	9%	0%	0%	10%	0%	10%	0%	4%			
	Bicycles on Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	SB	0	0
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		0%	
PM Peak Period	Lights	0	1	0	3	4	3	0	0	0	1	1	0	0	3	51	0	54	31	0	0	28	0	28	53	87	EB	8	8
Specified Period	%	0%	100%	0%	100%	100%	100%	0%	0%	0%	100%	100%	0%	0%	100%	94%	0%	95%	97%	0%	0%	97%	0%	97%	95%	96%		100%	
3:30 PM - 4:30 PM	Mediums	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1	0	0	1	0	1	1	2	WB	0	0
One Hour Peak	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	0%	2%	3%	0%	0%	3%	0%	3%	2%	2%		0%	
3:30 PM - 4:30 PM	Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NB	0	0
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		0%	
	Total	0	1	0	3	4	3	0	0	0	1	1	0	0	3	54	0	57	32	0	0	29	0	29	56	91		8	8
	PHF	0	0.25	0	0.38	0.5	0.38	0	0	0	0.25	0.25	0	0	0.38	0.61	0	0.59	0.8	0	0	0.72	0	0.72	0.64	0.76			
	HV %	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	0%	2%	3%	0%	0%	3%	0%	3%	2%	2%			
	Bicycles on Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	2	0	0	0	0	0	0	2	2	SB	0	0
	%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	4%	0%	4%	0%	0%	0%	0%	0%	0%	4%	2%		0%	

C. IDOT CRASH DATA

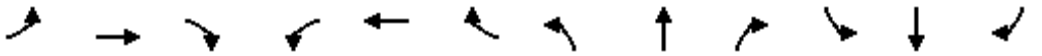


Kimley»Horn

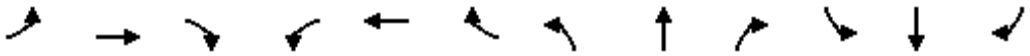
0 100 200 Feet

IDOT Crash Data (2016-2020)

D. EXISTING (2022) CAPACITY REPORTS



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	33	349	143	45	101	49	94	189	147	45	286	76
Future Volume (vph)	33	349	143	45	101	49	94	189	147	45	286	76
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	10	10	12	11	12	10	15	12	10	16	12
Storage Length (ft)	0		0	0		0	45		0	50		0
Storage Lanes	0		1	0		0	1		0	1		0
Taper Length (ft)	25			25			60			85		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00	0.91		0.98		0.95	0.96		0.97	0.97	
Frt			0.850		0.966			0.934			0.969	
Flt Protected		0.996			0.989		0.950			0.950		
Satd. Flow (prot)	0	1450	1478	0	1358	0	1636	1802	0	1546	1675	0
Flt Permitted		0.959			0.840		0.319			0.473		
Satd. Flow (perm)	0	1394	1340	0	1145	0	523	1802	0	744	1675	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			151		22			50			17	
Link Speed (mph)		20			20			20			20	
Link Distance (ft)		957			414			841			197	
Travel Time (s)		32.6			14.1			28.7			6.7	
Confl. Peds. (#/hr)	16		37	37		16	51		33	33		51
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	9%	5%	2%	7%	8%	18%	3%	6%	2%	9%	5%	5%
Parking (#/hr)		7			7						7	
Adj. Flow (vph)	35	367	151	47	106	52	99	199	155	47	301	80
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	402	151	0	205	0	99	354	0	47	381	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			10			10	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.31	1.09	1.00	1.25	1.00	1.09	0.88	1.00	1.09	1.03	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	2	1	1	2		1	2		1	2	
Detector Template	Left	Thru	Right	Left	Thru		Left	Thru		Left	Thru	
Leading Detector (ft)	20	100	20	20	100		20	100		20	100	
Trailing Detector (ft)	0	0	0	0	0		0	0		0	0	
Detector 1 Position(ft)	0	0	0	0	0		0	0		0	0	
Detector 1 Size(ft)	20	6	20	20	6		20	6		20	6	
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 2 Position(ft)		94			94			94			94	
Detector 2 Size(ft)		6			6			6			6	
Detector 2 Type		Cl+Ex			Cl+Ex			Cl+Ex			Cl+Ex	



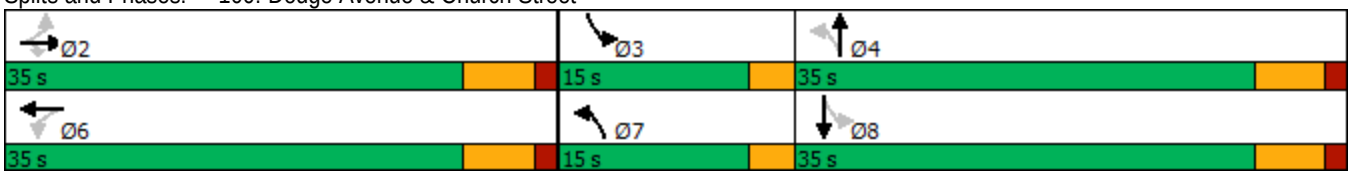
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Detector 2 Channel												
Detector 2 Extend (s)		0.0			0.0			0.0			0.0	
Turn Type	Perm	NA	Perm	Perm	NA		pm+pt	NA		pm+pt	NA	
Protected Phases		2			6		7	4		3	8	
Permitted Phases	2		2	6			4			8		
Detector Phase	2	2	2	6	6		7	4		3	8	
Switch Phase												
Minimum Initial (s)	8.0	8.0	8.0	8.0	8.0		3.0	8.0		3.0	8.0	
Minimum Split (s)	14.0	14.0	14.0	14.0	14.0		6.0	14.0		6.0	14.0	
Total Split (s)	35.0	35.0	35.0	35.0	35.0		15.0	35.0		15.0	35.0	
Total Split (%)	41.2%	41.2%	41.2%	41.2%	41.2%		17.6%	41.2%		17.6%	41.2%	
Maximum Green (s)	29.0	29.0	29.0	29.0	29.0		12.0	29.0		12.0	29.0	
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.0	4.5		3.0	4.5	
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		0.0	1.5		0.0	1.5	
Lost Time Adjust (s)		0.0	0.0		0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)		6.0	6.0		6.0		3.0	6.0		3.0	6.0	
Lead/Lag							Lead	Lag		Lead	Lag	
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	
Vehicle Extension (s)	7.0	7.0	7.0	7.0	7.0		3.0	5.0		3.0	5.0	
Recall Mode	Max	Max	Max	Max	Max		None	None		None	None	
Walk Time (s)	7.0	7.0	7.0	7.0	7.0			7.0			7.0	
Flash Dont Walk (s)	14.0	14.0	14.0	14.0	14.0			14.0			14.0	
Pedestrian Calls (#/hr)	0	0	0	0	0			0			0	
Act Effct Green (s)		29.7	29.7		29.7		34.2	26.0		31.0	22.7	
Actuated g/C Ratio		0.40	0.40		0.40		0.46	0.35		0.42	0.31	
v/c Ratio		0.72	0.24		0.43		0.27	0.53		0.12	0.72	
Control Delay		30.9	4.7		20.7		11.6	19.7		10.2	30.7	
Queue Delay		0.0	0.0		0.0		0.0	0.0		0.0	0.0	
Total Delay		30.9	4.7		20.7		11.6	19.7		10.2	30.7	
LOS		C	A		C		B	B		B	C	
Approach Delay		23.7			20.7			17.9			28.5	
Approach LOS		C			C			B			C	
Queue Length 50th (ft)		161	0		63		23	115		11	151	
Queue Length 95th (ft)		#348	38		141		46	197		26	254	
Internal Link Dist (ft)		877			334			761			117	
Turn Bay Length (ft)							45			50		
Base Capacity (vph)		562	630		474		432	783		481	685	
Starvation Cap Reductn		0	0		0		0	0		0	0	
Spillback Cap Reductn		0	0		0		0	0		0	0	
Storage Cap Reductn		0	0		0		0	0		0	0	
Reduced v/c Ratio		0.72	0.24		0.43		0.23	0.45		0.10	0.56	

Intersection Summary	
Area Type:	Other
Cycle Length: 85	
Actuated Cycle Length: 73.6	
Natural Cycle: 55	
Control Type: Actuated-Uncoordinated	
Maximum v/c Ratio: 0.72	

Intersection Signal Delay: 23.0	Intersection LOS: C
Intersection Capacity Utilization 81.8%	ICU Level of Service D
Analysis Period (min) 15	

\# 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 100: Dodge Avenue & Church Street



Intersection	
Int Delay, s/veh	3.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇕			⇕			⇕			⇕	
Traffic Vol, veh/h	12	507	22	48	167	11	16	17	85	5	18	12
Future Vol, veh/h	12	507	22	48	167	11	16	17	85	5	18	12
Conflicting Peds, #/hr	10	0	7	7	0	10	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	4	2	2	10	2	2	2	2	20	2	25
Mvmt Flow	13	534	23	51	176	12	17	18	89	5	19	13

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	198	0	0	564	0	0	879	879	553	919	884	192
Stage 1	-	-	-	-	-	-	579	579	-	294	294	-
Stage 2	-	-	-	-	-	-	300	300	-	625	590	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.3	6.52	6.45
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.3	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.3	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.68	4.018	3.525
Pot Cap-1 Maneuver	1375	-	-	1008	-	-	268	286	533	234	284	794
Stage 1	-	-	-	-	-	-	501	501	-	677	670	-
Stage 2	-	-	-	-	-	-	709	666	-	443	495	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1361	-	-	1000	-	-	234	261	529	173	259	786
Mov Cap-2 Maneuver	-	-	-	-	-	-	234	261	-	173	259	-
Stage 1	-	-	-	-	-	-	490	490	-	661	626	-
Stage 2	-	-	-	-	-	-	638	622	-	350	484	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.2	1.9	18	18.3
HCM LOS			C	C

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	401	1361	-	-	1000	-	-	308
HCM Lane V/C Ratio	0.31	0.009	-	-	0.051	-	-	0.12
HCM Control Delay (s)	18	7.7	0	-	8.8	0	-	18.3
HCM Lane LOS	C	A	A	-	A	A	-	C
HCM 95th %tile Q(veh)	1.3	0	-	-	0.2	-	-	0.4

Intersection	
Int Delay, s/veh	0

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	1	1	267	4	1	407
Future Vol, veh/h	1	1	267	4	1	407
Conflicting Peds, #/hr	3	0	0	9	9	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	8	50	2	5
Mvmt Flow	1	1	281	4	1	428

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	725	292	0	0	294	0
Stage 1	292	-	-	-	-	-
Stage 2	433	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	392	747	-	-	1268	-
Stage 1	758	-	-	-	-	-
Stage 2	654	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	387	741	-	-	1257	-
Mov Cap-2 Maneuver	387	-	-	-	-	-
Stage 1	751	-	-	-	-	-
Stage 2	651	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.1	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	508	1257	-
HCM Lane V/C Ratio	-	-	0.004	0.001	-
HCM Control Delay (s)	-	-	12.1	7.9	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0	0	-

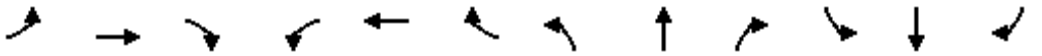
Intersection	
Int Delay, s/veh	1.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	1	1	4	1	1	1	1	38	1	1	30	1
Future Vol, veh/h	1	1	4	1	1	1	1	38	1	1	30	1
Conflicting Peds, #/hr	3	0	0	0	0	3	0	0	9	9	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	10	2
Mvmt Flow	1	1	4	1	1	1	1	40	1	1	32	1

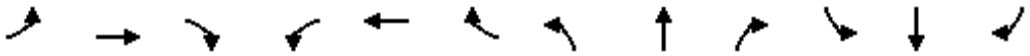
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	82	87	33	89	87	53	33	0	0	50	0	0
Stage 1	35	35	-	52	52	-	-	-	-	-	-	-
Stage 2	47	52	-	37	35	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	905	803	1041	896	803	1014	1579	-	-	1557	-	-
Stage 1	981	866	-	961	852	-	-	-	-	-	-	-
Stage 2	967	852	-	978	866	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	900	794	1041	883	794	1002	1579	-	-	1544	-	-
Mov Cap-2 Maneuver	900	794	-	883	794	-	-	-	-	-	-	-
Stage 1	980	865	-	951	843	-	-	-	-	-	-	-
Stage 2	961	843	-	972	865	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	8.8	9.1	0.2	0.2
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1579	-	-	966	885	1544	-	-
HCM Lane V/C Ratio	0.001	-	-	0.007	0.004	0.001	-	-
HCM Control Delay (s)	7.3	0	-	8.8	9.1	7.3	0	-
HCM Lane LOS	A	A	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0	0	0	-	-



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	45	241	104	22	155	65	92	239	72	36	216	51
Future Volume (vph)	45	241	104	22	155	65	92	239	72	36	216	51
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	10	10	12	11	12	10	15	12	10	16	12
Storage Length (ft)	0		0	0		0	45		0	50		0
Storage Lanes	0		1	0		0	1		0	1		0
Taper Length (ft)	25			25			60			85		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00	0.82		0.97		0.94	0.98		0.96	0.98	
Frt			0.850		0.964			0.965			0.971	
Flt Protected		0.992			0.995		0.950			0.950		
Satd. Flow (prot)	0	1480	1463	0	1444	0	1652	1906	0	1478	1706	0
Flt Permitted		0.916			0.955		0.416			0.547		
Satd. Flow (perm)	0	1361	1193	0	1374	0	679	1906	0	817	1706	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			109		24			19			15	
Link Speed (mph)		20			20			25			25	
Link Distance (ft)		957			414			841			197	
Travel Time (s)		32.6			14.1			22.9			5.4	
Confl. Peds. (#/hr)	22		83	83		22	50		37	37		50
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	7%	2%	3%	2%	3%	6%	2%	4%	2%	14%	4%	2%
Parking (#/hr)		7			7						7	
Adj. Flow (vph)	47	254	109	23	163	68	97	252	76	38	227	54
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	301	109	0	254	0	97	328	0	38	281	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			10			10	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.31	1.09	1.00	1.25	1.00	1.09	0.88	1.00	1.09	1.03	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	2	1	1	2		1	2		1	2	
Detector Template	Left	Thru	Right	Left	Thru		Left	Thru		Left	Thru	
Leading Detector (ft)	20	100	20	20	100		20	100		20	100	
Trailing Detector (ft)	0	0	0	0	0		0	0		0	0	
Detector 1 Position(ft)	0	0	0	0	0		0	0		0	0	
Detector 1 Size(ft)	20	6	20	20	6		20	6		20	6	
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 2 Position(ft)		94			94			94			94	
Detector 2 Size(ft)		6			6			6			6	
Detector 2 Type		Cl+Ex			Cl+Ex			Cl+Ex			Cl+Ex	

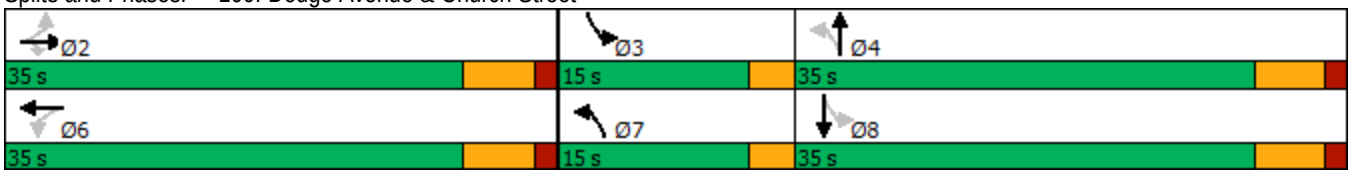


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Detector 2 Channel												
Detector 2 Extend (s)		0.0			0.0			0.0			0.0	
Turn Type	Perm	NA	Perm	Perm	NA		pm+pt	NA		pm+pt	NA	
Protected Phases		2			6		7	4		3	8	
Permitted Phases	2		2	6			4			8		
Detector Phase	2	2	2	6	6		7	4		3	8	
Switch Phase												
Minimum Initial (s)	8.0	8.0	8.0	8.0	8.0		3.0	8.0		3.0	8.0	
Minimum Split (s)	14.0	14.0	14.0	14.0	14.0		6.0	14.0		6.0	14.0	
Total Split (s)	35.0	35.0	35.0	35.0	35.0		15.0	35.0		15.0	35.0	
Total Split (%)	41.2%	41.2%	41.2%	41.2%	41.2%		17.6%	41.2%		17.6%	41.2%	
Maximum Green (s)	29.0	29.0	29.0	29.0	29.0		12.0	29.0		12.0	29.0	
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.0	4.5		3.0	4.5	
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		0.0	1.5		0.0	1.5	
Lost Time Adjust (s)		0.0	0.0		0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)		6.0	6.0		6.0		3.0	6.0		3.0	6.0	
Lead/Lag							Lead	Lag		Lead	Lag	
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	
Vehicle Extension (s)	7.0	7.0	7.0	7.0	7.0		3.0	5.0		3.0	5.0	
Recall Mode	Max	Max	Max	Max	Max		None	None		None	None	
Walk Time (s)	7.0	7.0	7.0	7.0	7.0			7.0			7.0	
Flash Dont Walk (s)	14.0	14.0	14.0	14.0	14.0			14.0			14.0	
Pedestrian Calls (#/hr)	0	0	0	0	0			0			0	
Act Effct Green (s)		29.6	29.6		29.6		29.7	23.2		26.2	18.0	
Actuated g/C Ratio		0.43	0.43		0.43		0.43	0.34		0.38	0.26	
v/c Ratio		0.51	0.19		0.42		0.24	0.50		0.10	0.61	
Control Delay		21.1	4.8		17.6		11.9	20.5		10.7	27.8	
Queue Delay		0.0	0.0		0.0		0.0	0.0		0.0	0.0	
Total Delay		21.1	4.8		17.6		11.9	20.5		10.7	27.8	
LOS		C	A		B		B	C		B	C	
Approach Delay		16.8			17.6			18.5			25.8	
Approach LOS		B			B			B			C	
Queue Length 50th (ft)		94	0		68		23	90		9	102	
Queue Length 95th (ft)		208	32		158		46	192		23	179	
Internal Link Dist (ft)		877			334			761			117	
Turn Bay Length (ft)							45			50		
Base Capacity (vph)		586	575		605		469	832		471	743	
Starvation Cap Reductn		0	0		0		0	0		0	0	
Spillback Cap Reductn		0	0		0		0	0		0	0	
Storage Cap Reductn		0	0		0		0	0		0	0	
Reduced v/c Ratio		0.51	0.19		0.42		0.21	0.39		0.08	0.38	

Intersection Summary	
Area Type:	Other
Cycle Length: 85	
Actuated Cycle Length: 68.8	
Natural Cycle: 50	
Control Type: Actuated-Uncoordinated	
Maximum v/c Ratio: 0.61	

Intersection Signal Delay: 19.5	Intersection LOS: B
Intersection Capacity Utilization 67.2%	ICU Level of Service C
Analysis Period (min) 15	

Splits and Phases: 100: Dodge Avenue & Church Street



Intersection	
Int Delay, s/veh	2.9

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇕			⇕			⇕			⇕	
Traffic Vol, veh/h	26	317	6	11	206	16	18	14	65	10	4	18
Future Vol, veh/h	26	317	6	11	206	16	18	14	65	10	4	18
Conflicting Peds, #/hr	30	0	8	8	0	30	1	0	0	0	0	1
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	4	3	2	2	4	2	2	2	2	2	2	6
Mvmt Flow	27	334	6	12	217	17	19	15	68	11	4	19

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	264	0	0	348	0	0	661	687	345	713	682	257
Stage 1	-	-	-	-	-	-	399	399	-	280	280	-
Stage 2	-	-	-	-	-	-	262	288	-	433	402	-
Critical Hdwy	4.14	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.26
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.236	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.354
Pot Cap-1 Maneuver	1289	-	-	1211	-	-	376	370	698	347	372	772
Stage 1	-	-	-	-	-	-	627	602	-	727	679	-
Stage 2	-	-	-	-	-	-	743	674	-	601	600	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1249	-	-	1200	-	-	349	342	692	285	343	747
Mov Cap-2 Maneuver	-	-	-	-	-	-	349	342	-	285	343	-
Stage 1	-	-	-	-	-	-	604	580	-	686	650	-
Stage 2	-	-	-	-	-	-	710	645	-	514	578	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.6	0.4	13.6	13.6
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	520	1249	-	-	1200	-	-	452
HCM Lane V/C Ratio	0.196	0.022	-	-	0.01	-	-	0.075
HCM Control Delay (s)	13.6	7.9	0	-	8	0	-	13.6
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.7	0.1	-	-	0	-	-	0.2

Intersection	
Int Delay, s/veh	0.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	1	1	348	1	2	302
Future Vol, veh/h	1	1	348	1	2	302
Conflicting Peds, #/hr	2	5	0	27	27	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	5	2	2	4
Mvmt Flow	1	1	366	1	2	318

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	718	399	0	0	394	0
Stage 1	394	-	-	-	-	-
Stage 2	324	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	396	651	-	-	1165	-
Stage 1	681	-	-	-	-	-
Stage 2	733	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	384	631	-	-	1135	-
Mov Cap-2 Maneuver	384	-	-	-	-	-
Stage 1	663	-	-	-	-	-
Stage 2	730	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.6	0	0.1
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	477	1135	-
HCM Lane V/C Ratio	-	-	0.004	0.002	-
HCM Control Delay (s)	-	-	12.6	8.2	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0	0	-

Intersection	
Int Delay, s/veh	1

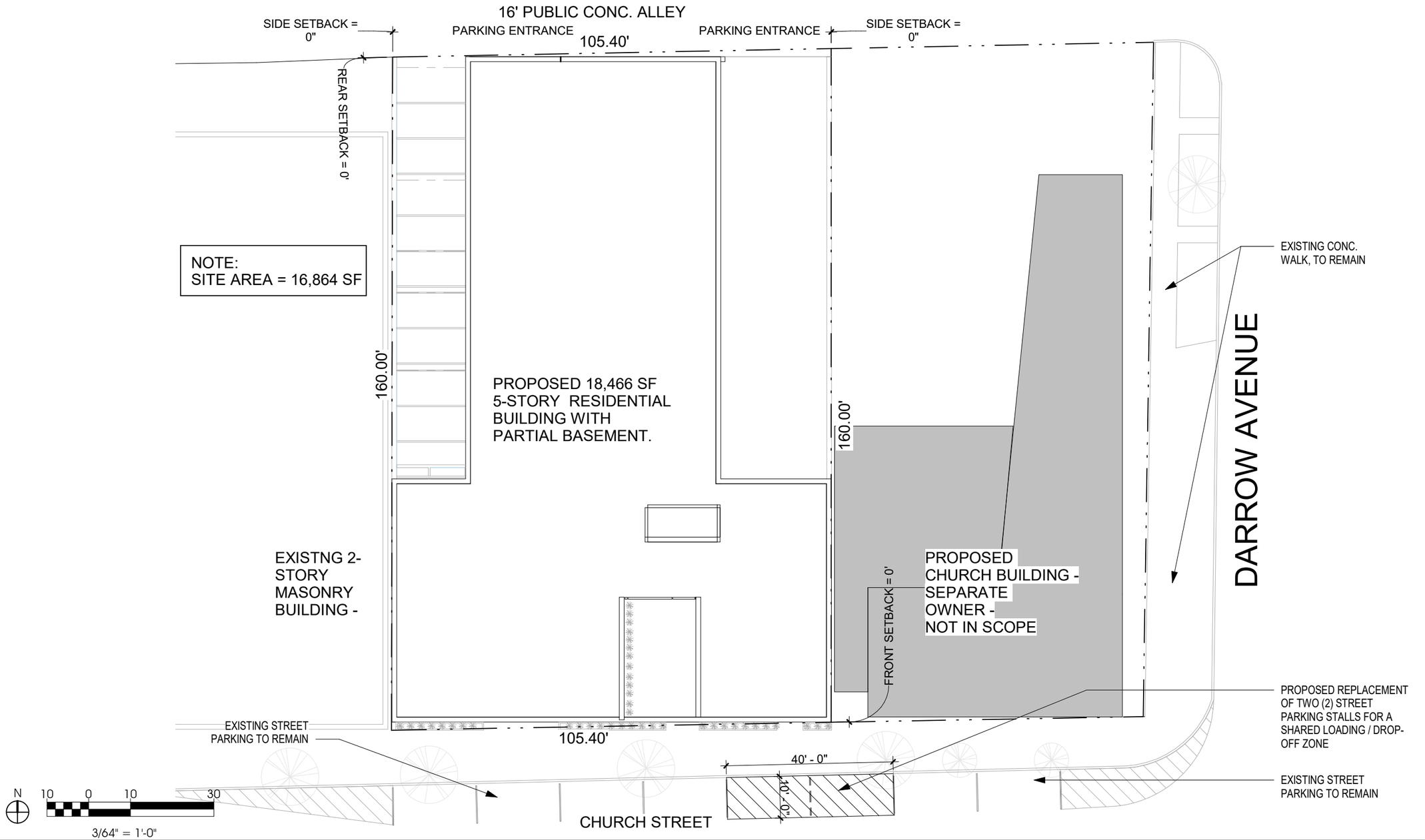
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇕			⇕			⇕			⇕	
Traffic Vol, veh/h	1	1	3	1	1	1	3	54	1	1	29	1
Future Vol, veh/h	1	1	3	1	1	1	3	54	1	1	29	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	8	8	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	3	2
Mvmt Flow	1	1	3	1	1	1	3	57	1	1	31	1

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	99	106	32	108	106	66	32	0	0	66	0	0
Stage 1	34	34	-	72	72	-	-	-	-	-	-	-
Stage 2	65	72	-	36	34	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	883	784	1042	871	784	998	1580	-	-	1536	-	-
Stage 1	982	867	-	938	835	-	-	-	-	-	-	-
Stage 2	946	835	-	980	867	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	879	775	1042	859	775	990	1580	-	-	1524	-	-
Mov Cap-2 Maneuver	879	775	-	859	775	-	-	-	-	-	-	-
Stage 1	980	866	-	929	827	-	-	-	-	-	-	-
Stage 2	942	827	-	975	866	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	8.8	9.2	0.4	0.2
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1580	-	-	942	866	1524	-	-
HCM Lane V/C Ratio	0.002	-	-	0.006	0.004	0.001	-	-
HCM Control Delay (s)	7.3	0	-	8.8	9.2	7.4	0	-
HCM Lane LOS	A	A	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0	0	0	-	-

E. CONCEPTUAL SITE PLAN



Housing Opportunity Development Corporation

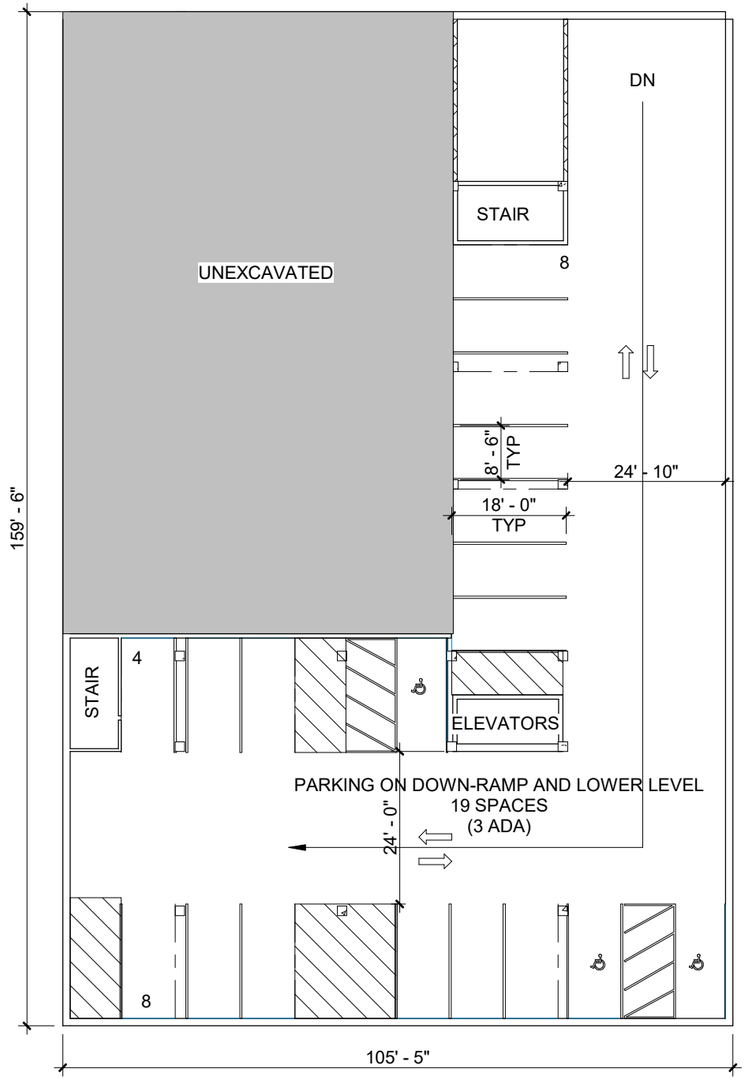
MT. PISGAH APARTMENTS

1805 - 1815 CHURCH STREET, EVANSTON, ILLINOIS

SITE PLAN

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A1.0
04.21.2022



N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

MT. PISGAH APARTMENTS

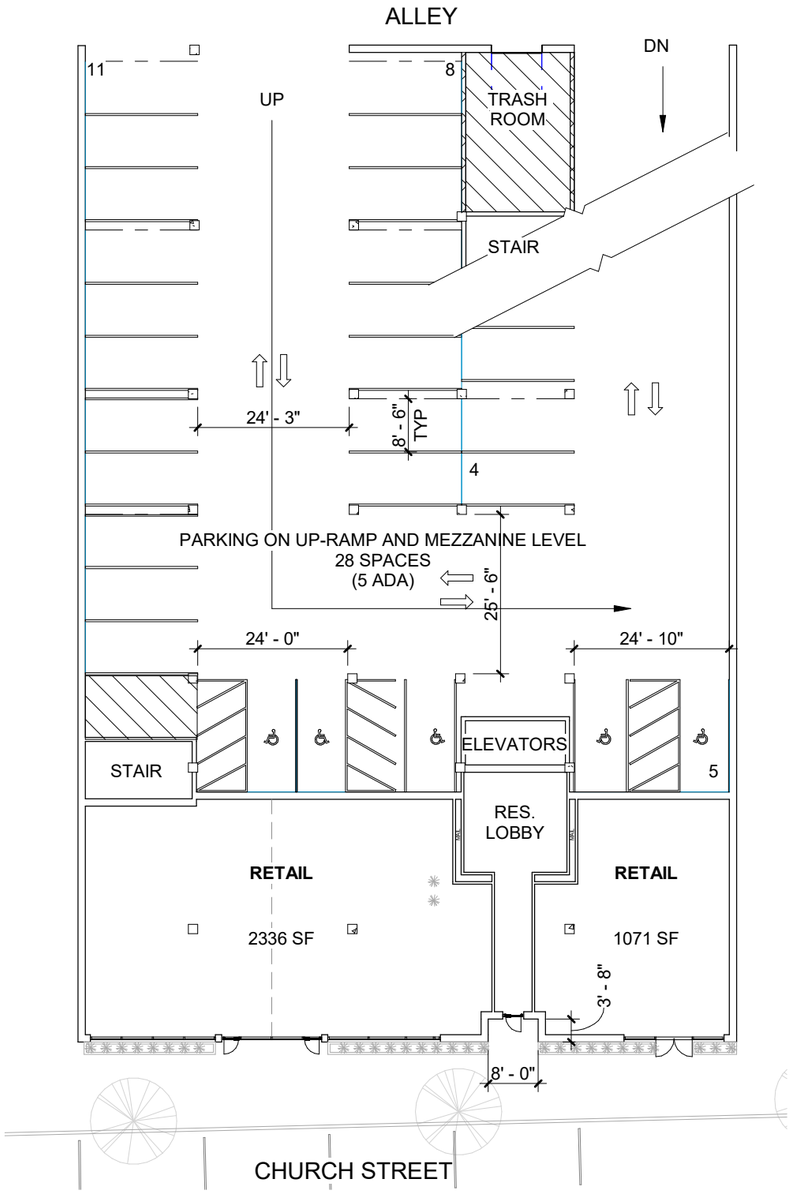
1805 - 1815 CHURCH STREET, EVANSTON, ILLINOIS

LOWER LEVEL PLAN (PARKING)

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A2.0

04.21.2022



N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

MT. PISGAH APARTMENTS

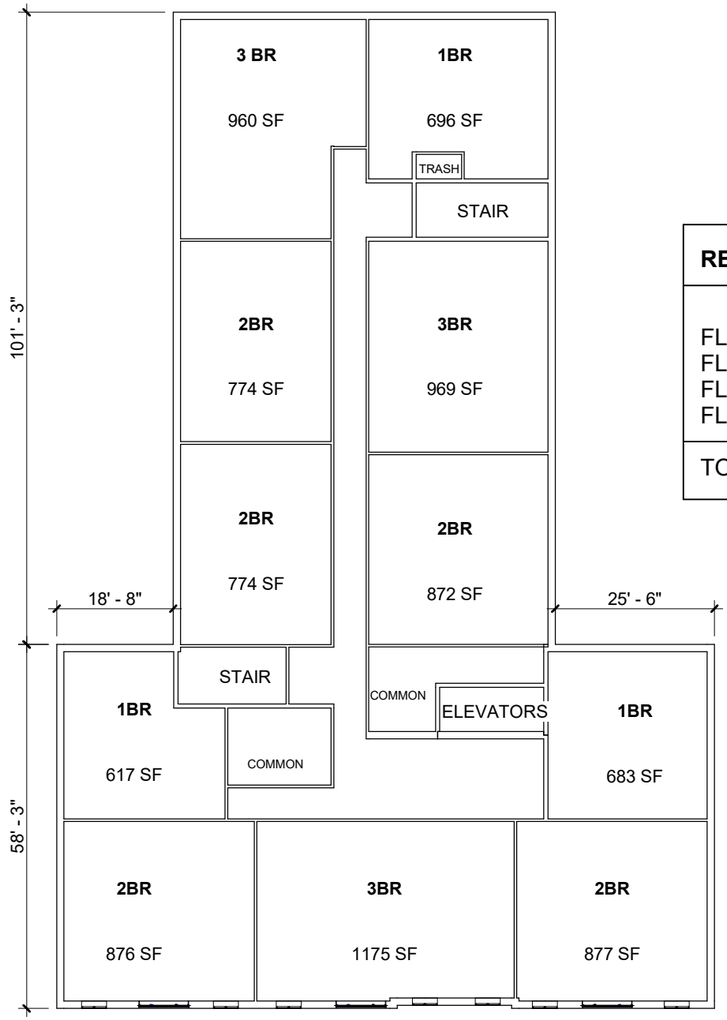
1805 - 1815 CHURCH STREET, EVANSTON, ILLINOIS

1ST FLOOR PLAN (RETAIL AND PARKING)

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A2.1

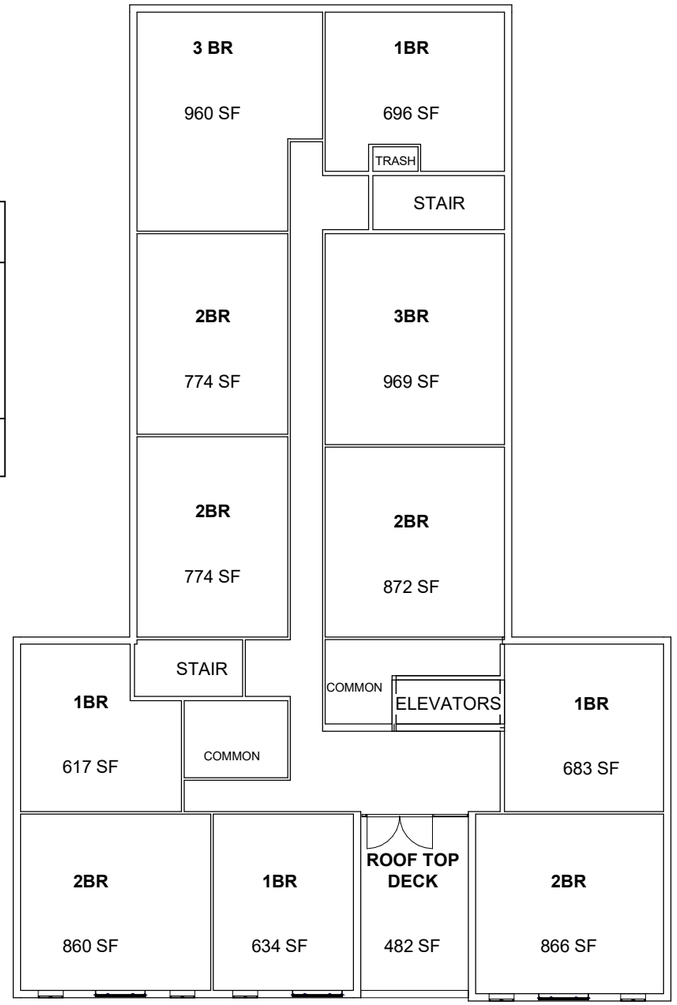
04.21.2022



TYPICAL FLOOR PLAN (FLOORS 2-4)

RESIDENTIAL UNIT COUNT

	1BRS	2BRS	3BRS	TOTAL
FLOOR 2	3	5	3	11
FLOOR 3	3	5	3	11
FLOOR 4	3	5	3	11
FLOOR 5	4	5	2	11
TOTAL	13	20	11	44



5TH FLOOR PLAN

N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

MT. PISGAH APARTMENTS

1805 - 1815 CHURCH STREET, EVANSTON, ILLINOIS

TYP RESIDENTIAL FLOOR PLAN (FLRS 2-5)

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A2.3

04.21.2022

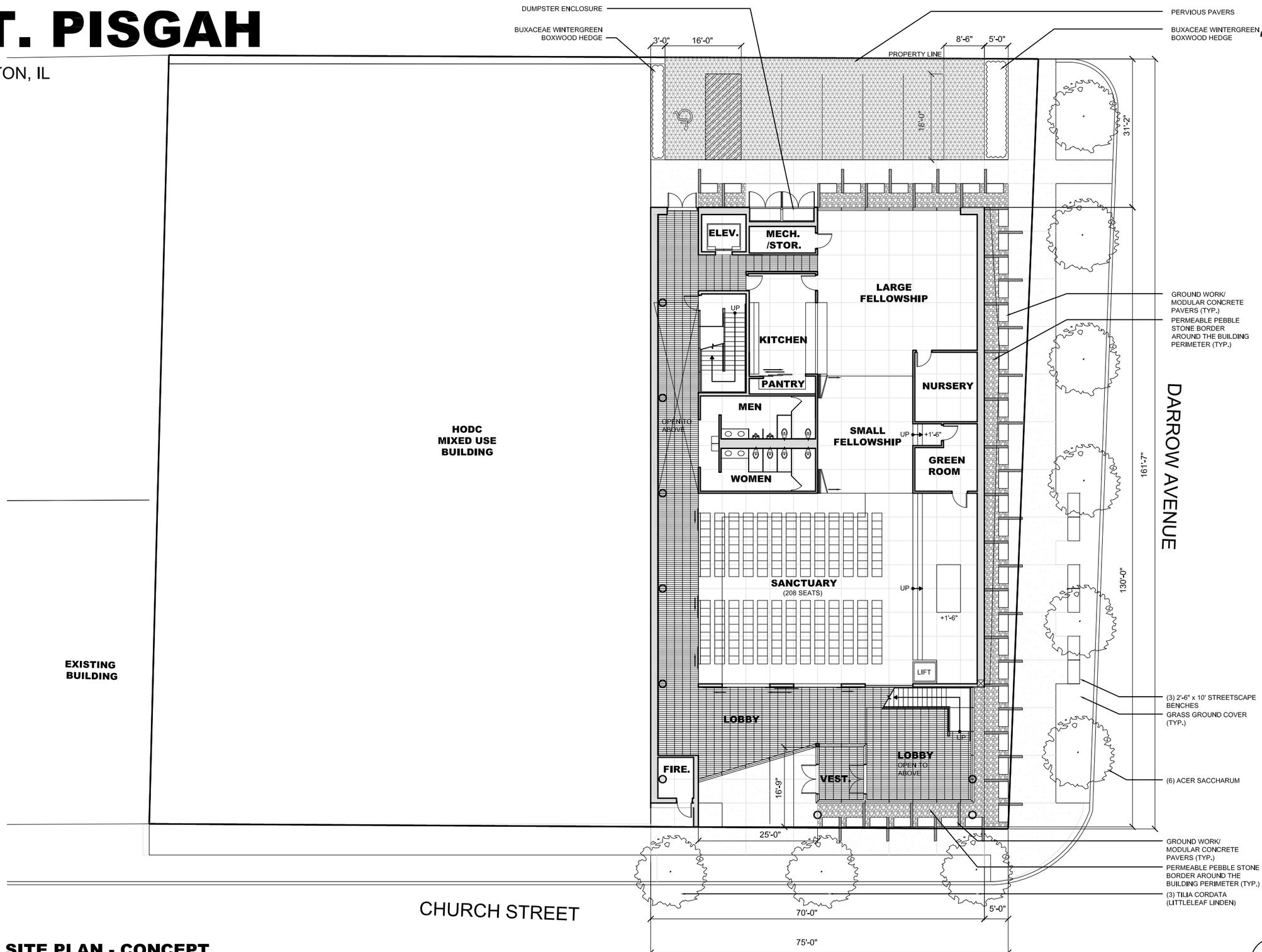
MT. PISGAH

EVANSTON, IL

SUZUKI+KIDD
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suzukikidd.com

Professional Design Firm # 184.008075-0001001

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A1 **SITE PLAN - CONCEPT**

SCALE: 1:20

N

Project Number: 19001
Issue Date: 04.22.2022

SD101

F. ITE TRIP GENERATION DATA

Land Use: 221
Multifamily Housing (Mid-Rise)

Description

Mid-rise multifamily housing includes apartments and condominiums located in a building that has between four and 10 floors of living space. Access to individual dwelling units is through an outside building entrance, a lobby, elevator, and a set of hallways.

Multifamily housing (low-rise) (Land Use 220), multifamily housing (high-rise) (Land Use 222), off-campus student apartment (mid-rise) (Land Use 226), and mid-rise residential with ground-floor commercial (Land Use 231) are related land uses.

Land Use Subcategory

Data are presented for two subcategories for this land use: (1) not close to rail transit and (2) close to rail transit. A site is considered close to rail transit if the walking distance between the residential site entrance and the closest rail transit station entrance is ½ mile or less.

Additional Data

For the six sites for which both the number of residents and the number of occupied dwelling units were available, there were an average of 2.5 residents per occupied dwelling unit.

For the five sites for which the numbers of both total dwelling units and occupied dwelling units were available, an average of 96 percent of the total dwelling units were occupied.

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (https://www.ite.org/technical-resources/topics/trip-and-parking-generation/).

It is expected that the number of bedrooms and number of residents are likely correlated to the trips generated by a residential site. To assist in future analysis, trip generation studies of all multifamily housing should attempt to obtain information on occupancy rate and on the mix of residential unit sizes (i.e., number of units by number of bedrooms at the site complex).

The sites were surveyed in the 1990s, the 2000s, the 2010s, and the 2020s in Alberta (CAN), California, District of Columbia, Florida, Georgia, Illinois, Maryland, Massachusetts, Minnesota, Montana, New Jersey, New York, Ontario (CAN), Oregon, Utah, and Virginia.

Source Numbers

168, 188, 204, 305, 306, 321, 818, 857, 862, 866, 901, 904, 910, 949, 951, 959, 963, 964, 966, 967, 969, 970, 1004, 1014, 1022, 1023, 1025, 1031, 1032, 1035, 1047, 1056, 1057, 1058, 1071, 1076

Multifamily Housing (Mid-Rise)
Not Close to Rail Transit (221)

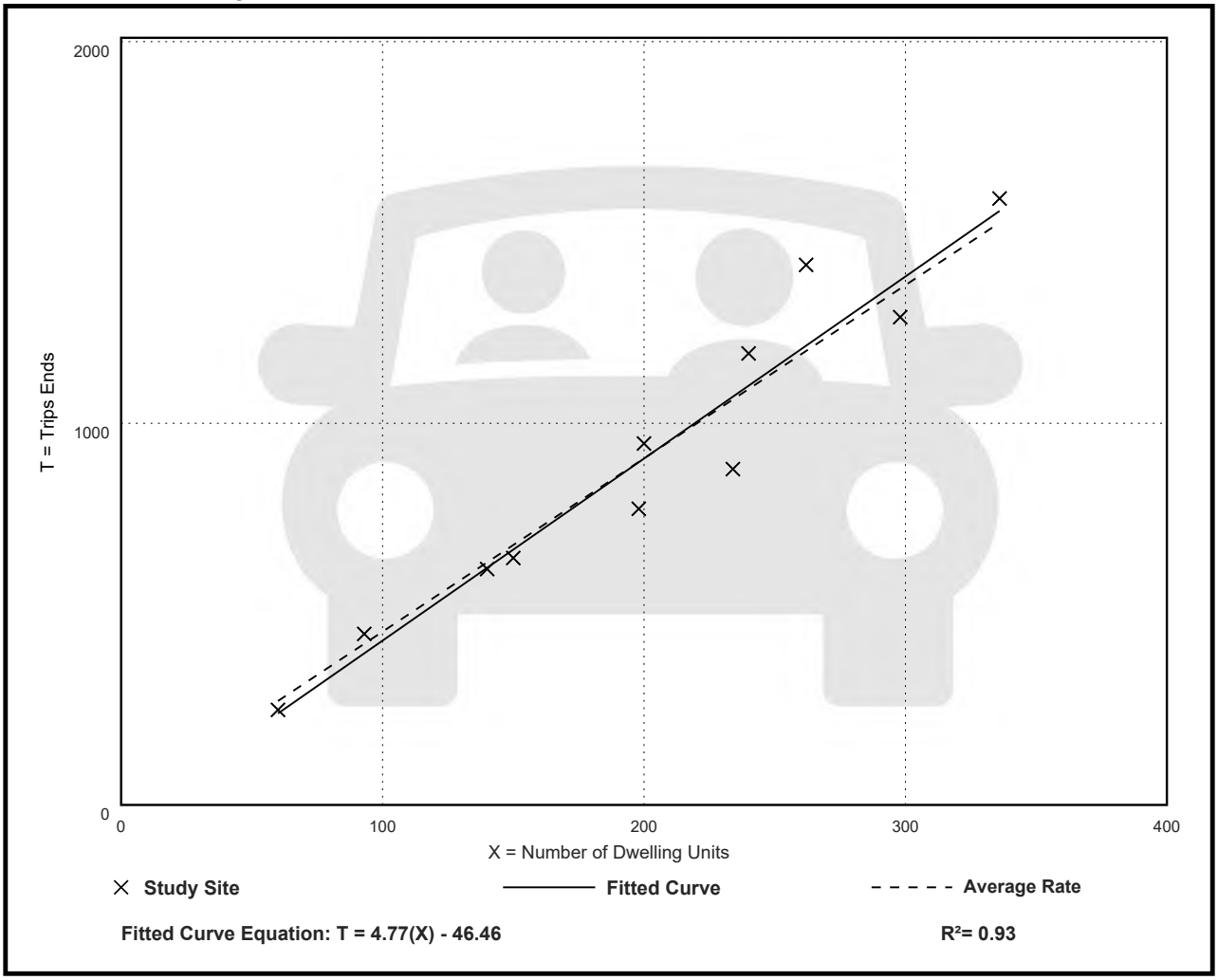
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 11
Avg. Num. of Dwelling Units: 201
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
4.54	3.76 - 5.40	0.51

Data Plot and Equation



Fitted Curve Equation: T = 4.77(X) - 46.46

R^2= 0.93

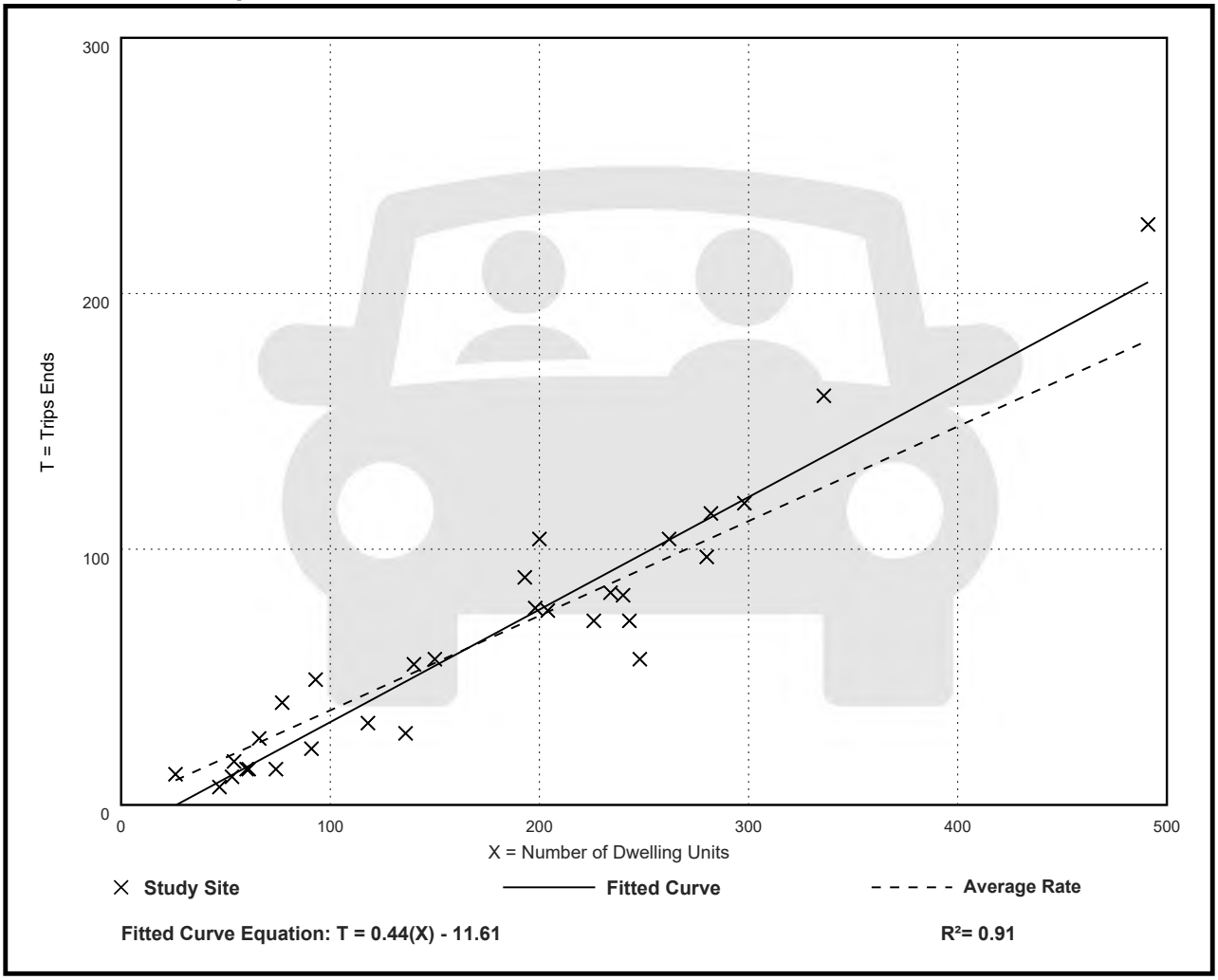
Multifamily Housing (Mid-Rise)
Not Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 30
Avg. Num. of Dwelling Units: 173
Directional Distribution: 23% entering, 77% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.37	0.15 - 0.53	0.09

Data Plot and Equation



Fitted Curve Equation: T = 0.44(X) - 11.61

R^2= 0.91

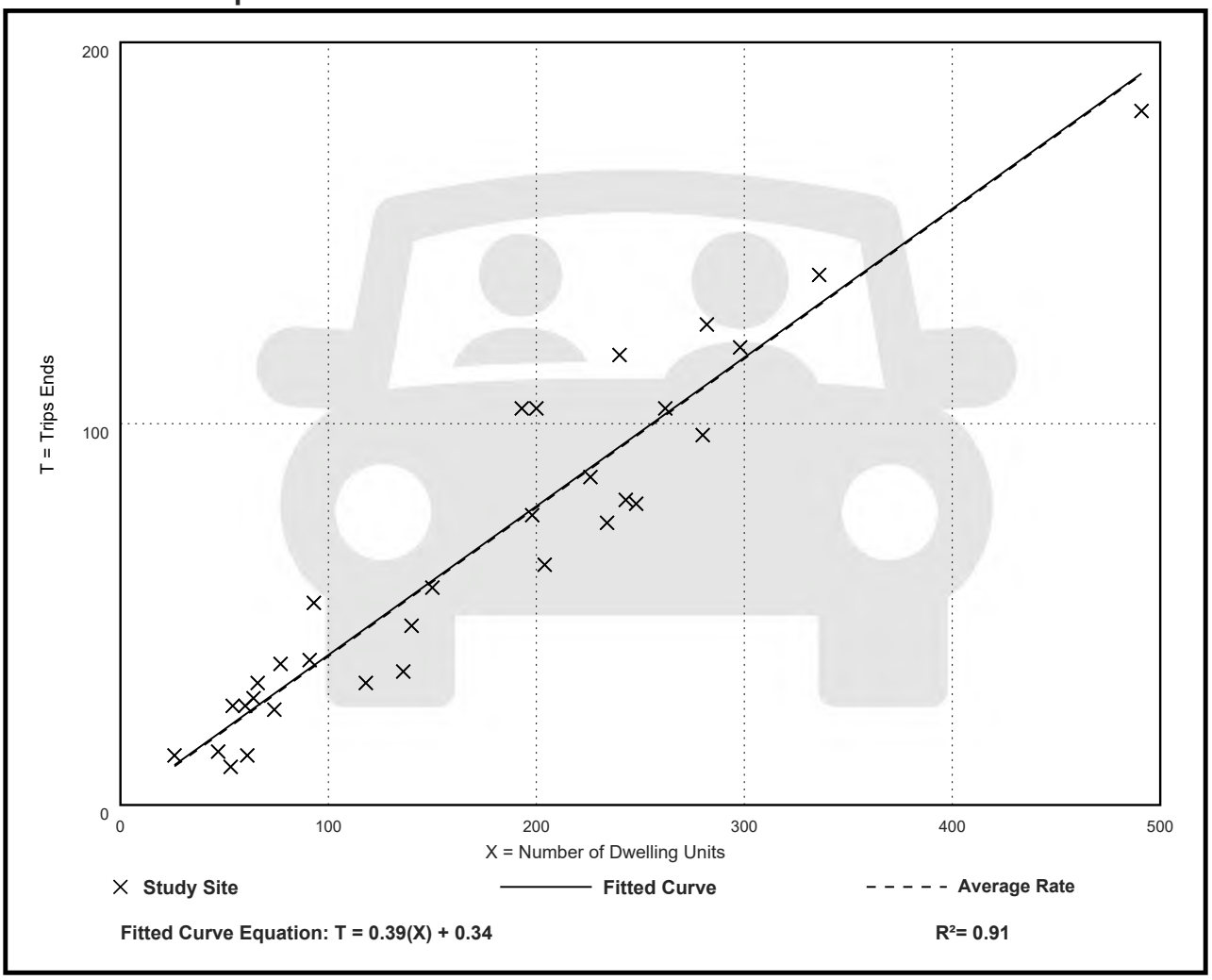
Multifamily Housing (Mid-Rise)
Not Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 31
Avg. Num. of Dwelling Units: 169
Directional Distribution: 61% entering, 39% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.39	0.19 - 0.57	0.08

Data Plot and Equation



Multifamily Housing (Mid-Rise)
Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

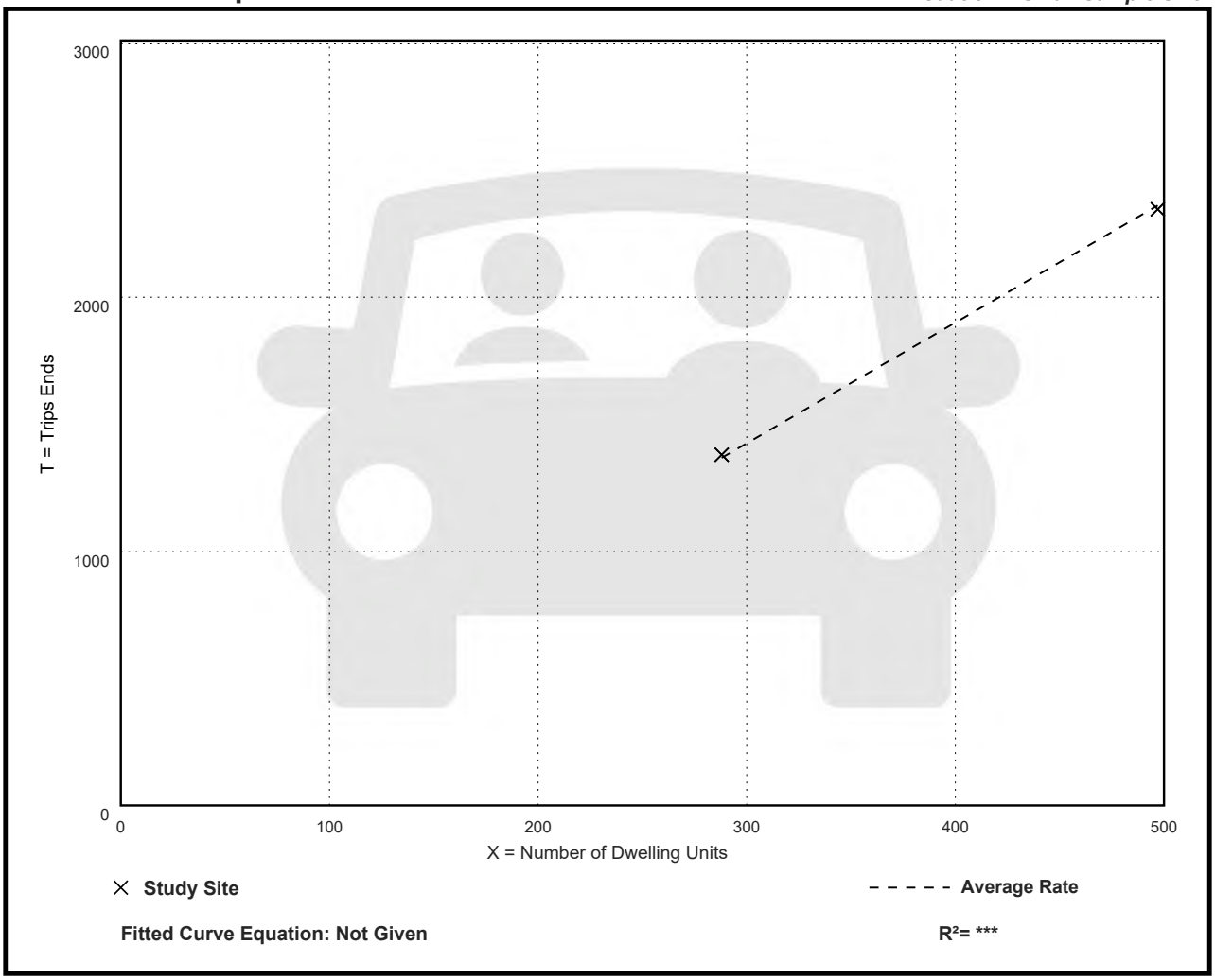
Setting/Location: General Urban/Suburban
Number of Studies: 2
Avg. Num. of Dwelling Units: 393
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
4.75	4.72 - 4.79	***

Data Plot and Equation

Caution – Small Sample Size



Fitted Curve Equation: Not Given

R^2= *

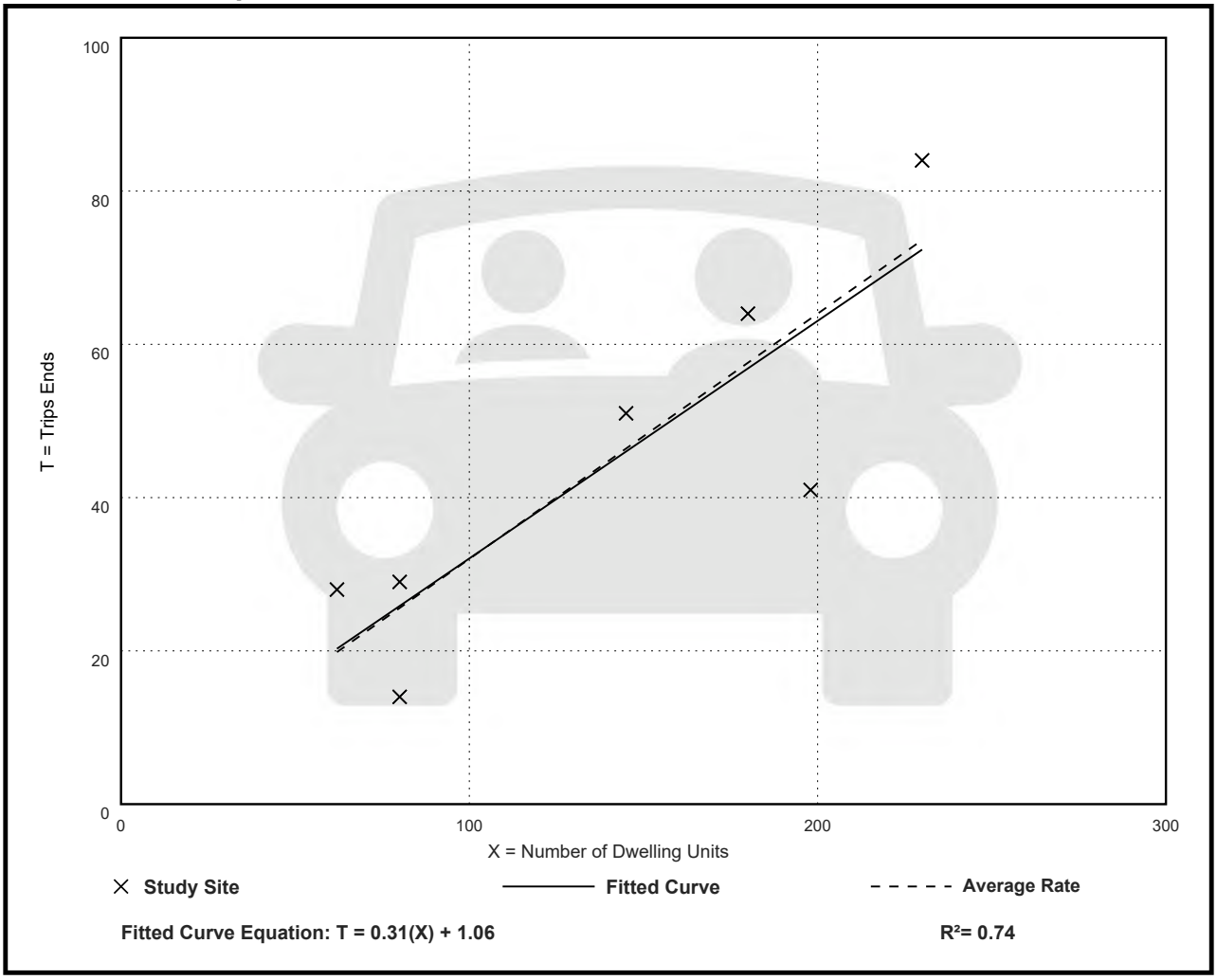
Multifamily Housing (Mid-Rise)
Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 7
Avg. Num. of Dwelling Units: 139
Directional Distribution: 56% entering, 44% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.32	0.18 - 0.45	0.09

Data Plot and Equation



Fitted Curve Equation: T = 0.31(X) + 1.06

R^2= 0.74

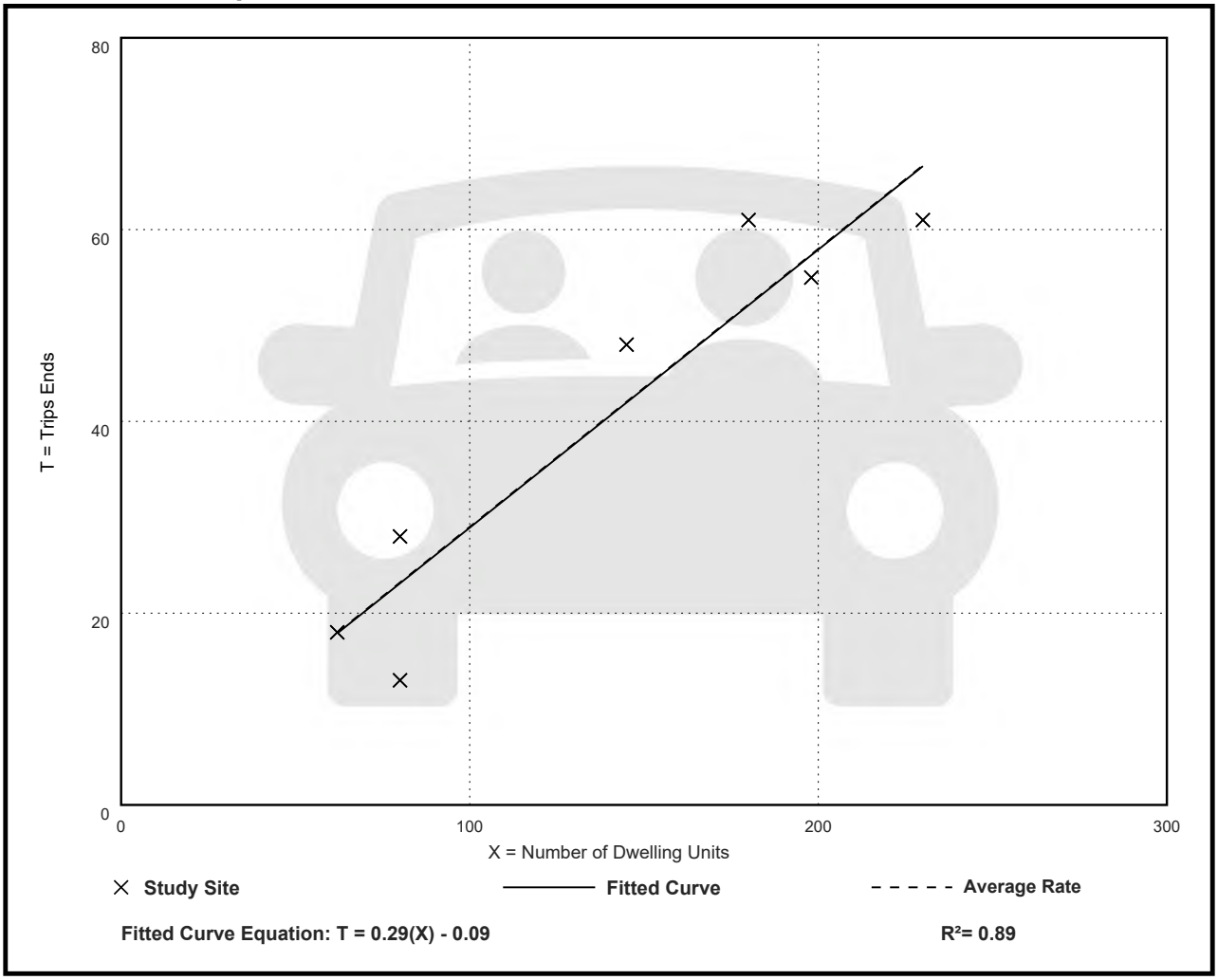
Multifamily Housing (Mid-Rise)
Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 7
Avg. Num. of Dwelling Units: 139
Directional Distribution: 43% entering, 57% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.29	0.16 - 0.35	0.05

Data Plot and Equation



Land Use: 223
Affordable Housing

Description

Affordable housing includes all multifamily housing that is rented at below market rate to households that include at least one employed member. Eligibility to live in affordable housing can be a function of limited household income and resident age. Multifamily housing (low-rise) (Land Use 220), multifamily housing (mid-rise) (Land Use 221), and multifamily housing (high-rise) (Land Use 222) are related land uses.

Land Use Subcategory

Data are presented for three subcategories for this land use: (1) sites with income limitations for its tenants (denoted as income limits in the data plots), (2) sites with both minimum age thresholds and income limitations for its tenants (denoted as senior in the data plots), and (3) sites designed for and occupied by residents with special needs, such as persons with physical and mental impairments, single mothers, recovering addicts and others living in a group setting.

Additional Data

For most study sites contained in this land use, all dwelling units in the development are classified as affordable units. For residential study sites that provide a mix of market value and affordable units, the study sites with at least 75 percent of the dwelling units designated as affordable are also included in this land use database.

It is expected that the number of bedrooms and number of residents are likely correlated to the trips generated by a residential site. To assist in future analysis, trip generation studies of all multifamily housing should attempt to obtain information on occupancy rate and on the mix of residential unit sizes (i.e., number of units by number of bedrooms at the site complex).

The sites were surveyed in the 1980s and 2010s in California, Ontario (CAN), and New Jersey.

Source Numbers

237, 918, 1003, 1004, 1046, 1057

Affordable Housing - Income Limits
(223)

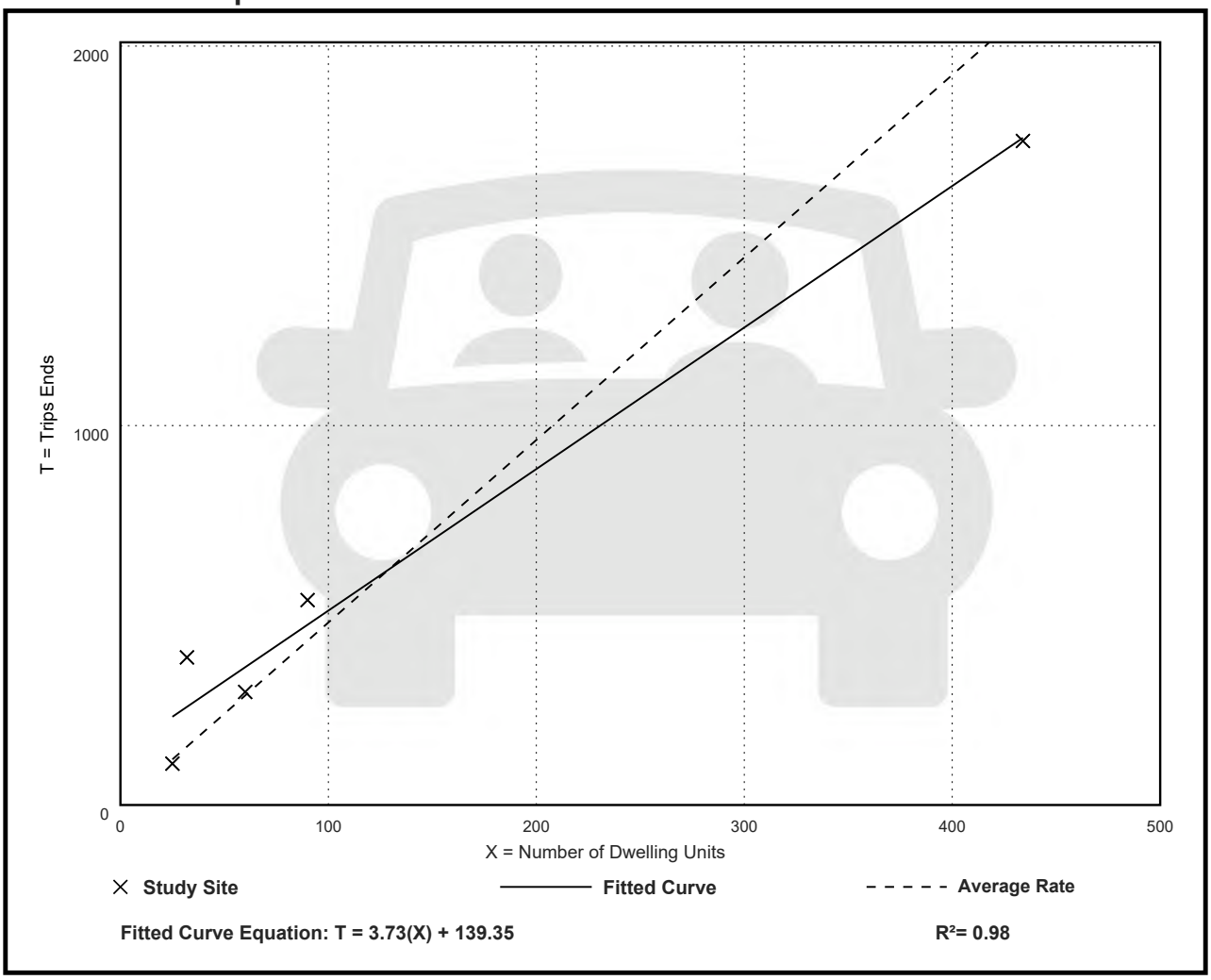
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 5
Avg. Num. of Dwelling Units: 128
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
4.81	4.03 - 12.16	2.03

Data Plot and Equation



Fitted Curve Equation: T = 3.73(X) + 139.35

R^2= 0.98

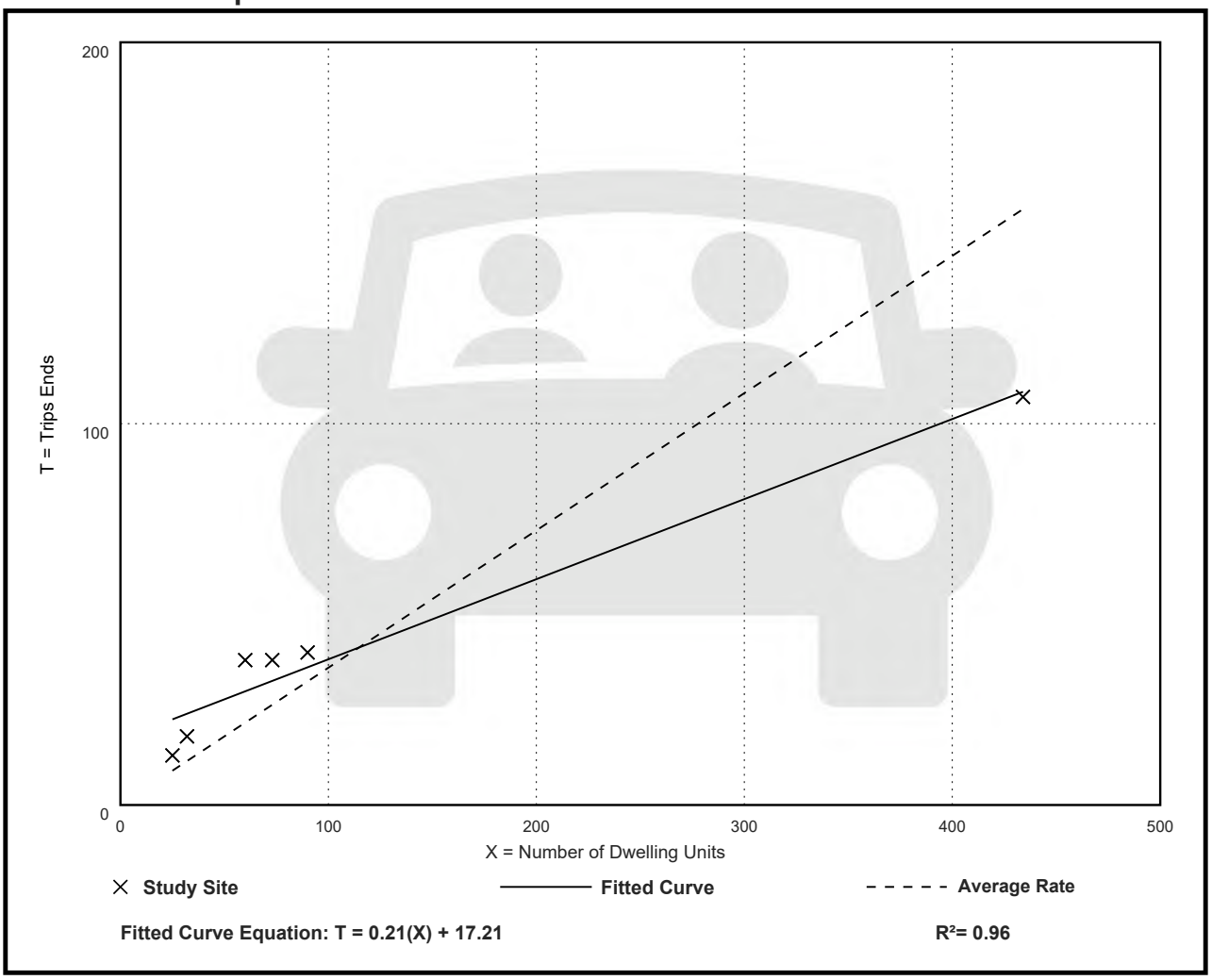
Affordable Housing - Income Limits
(223)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Dwelling Units: 119
Directional Distribution: 29% entering, 71% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.36	0.25 - 0.63	0.16

Data Plot and Equation



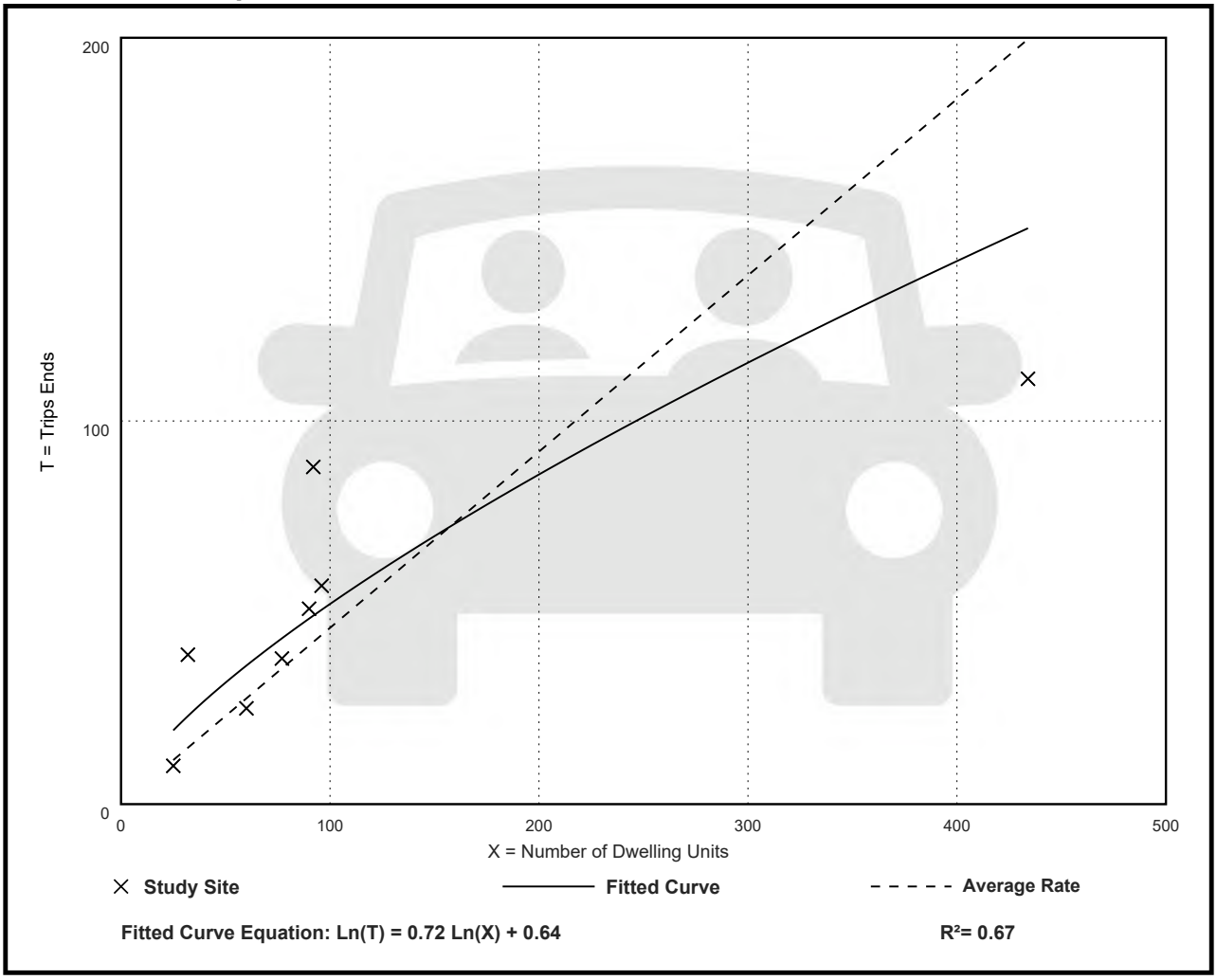
Affordable Housing - Income Limits
(223)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 8
Avg. Num. of Dwelling Units: 113
Directional Distribution: 59% entering, 41% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.46	0.26 - 1.22	0.28

Data Plot and Equation



G. CENSUS DATA

Table: ACSDT5Y2019.B08301

Label	Census Tract 8092, Cook County, Illinois	Census Tract 8095, Cook County, Illinois	Census Tract 8096, Cook County, Illinois	TOTAL	%		Selected Discount
	Estimate	Estimate	Estimate				
Total:	1,819	2,106	1,483	5408			40%
Car, truck, or van:	1,191	946	1,051	3188	59%		
Public transportation (excluding taxicab):	206	355	227	788	15%		
Taxicab	0	0	0	0	0%		
Motorcycle	0	0	0	0	0%		
Bicycle	62	126	67	255	5%		
Walked	136	433	49	618	11%		
Other means	22	9	16	47	1%		
Worked from home	202	237	73	512	9%		

H. ITE PARKING GENERATION DATA

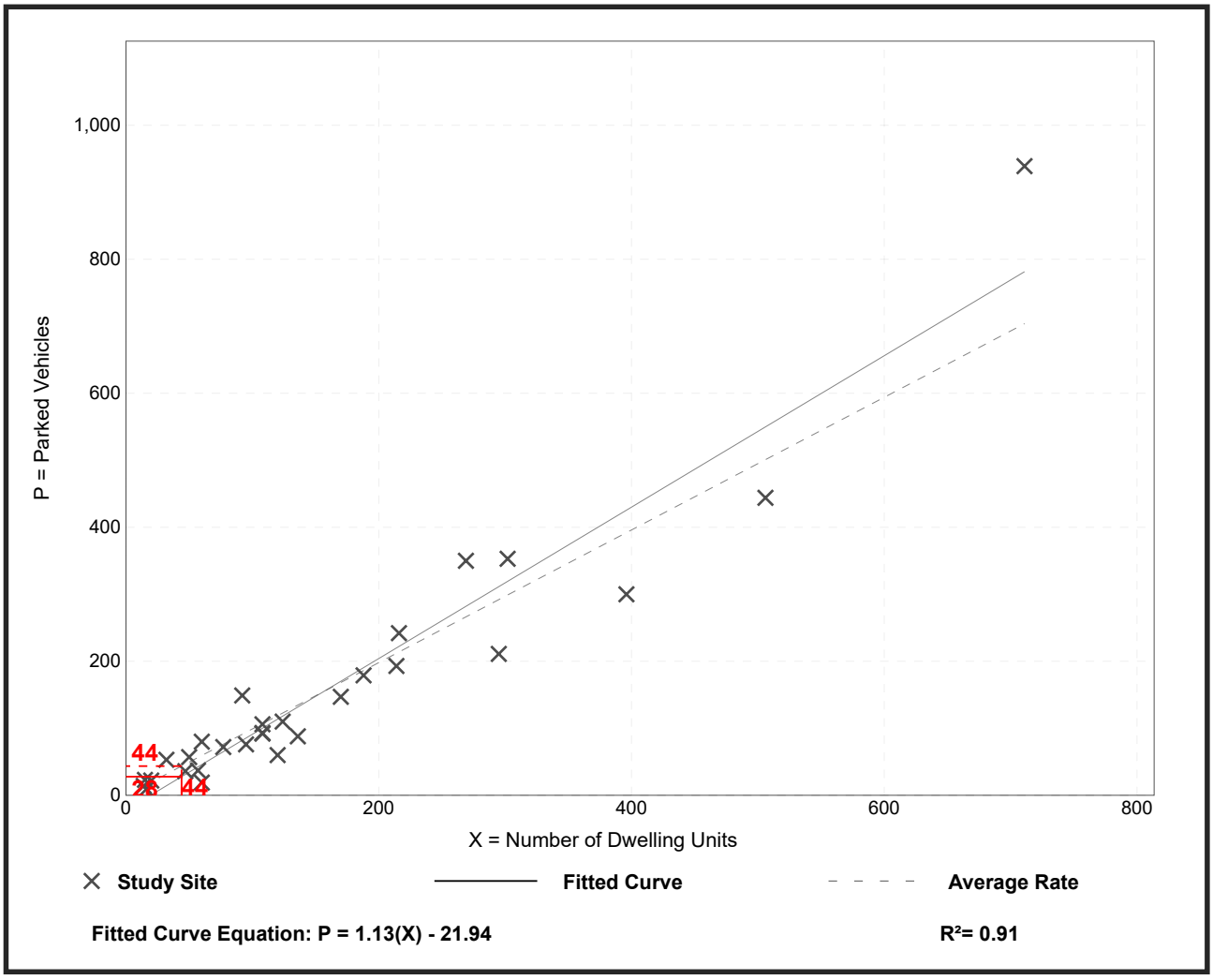
Affordable Housing - Income Limits
(223)

Peak Period Parking Demand vs: **Dwelling Units**
On a: **Weekday (Monday - Friday)**
Setting/Location: **General Urban/Suburban**
Peak Period of Parking Demand: **10:00 p.m. - 5:00 a.m.**
Number of Studies: 29
Avg. Num. of Dwelling Units: 159

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.99	0.32 - 1.66	0.85 / 1.33	0.89 - 1.09	0.27 (27%)

Data Plot and Equation



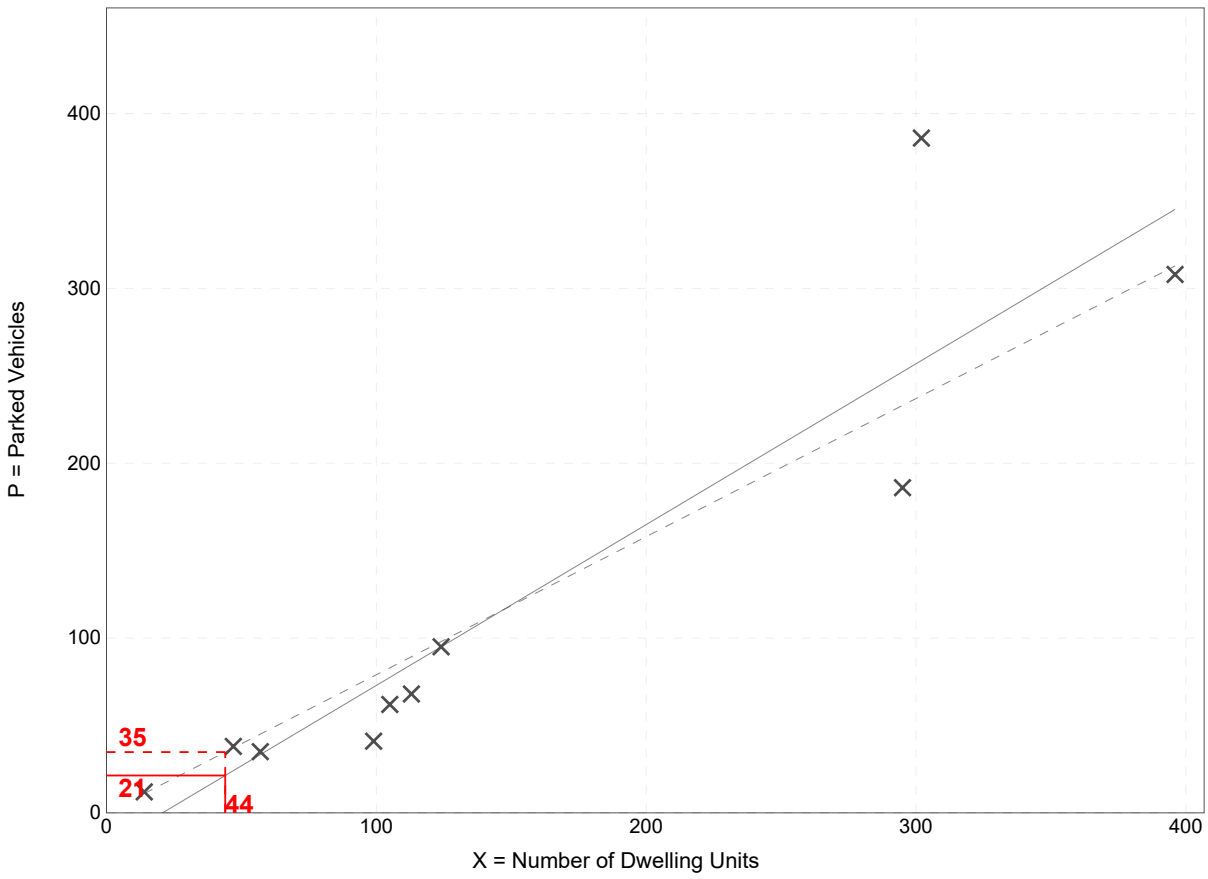
Affordable Housing - Income Limits
(223)

Peak Period Parking Demand vs: **Dwelling Units**
On a: **Saturday**
Setting/Location: **General Urban/Suburban**
Peak Period of Parking Demand: **11:00 p.m. - 7:00 a.m.**
Number of Studies: 10
Avg. Num. of Dwelling Units: 155

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.79	0.41 - 1.28	0.61 / 1.00	***	0.27 (34%)

Data Plot and Equation

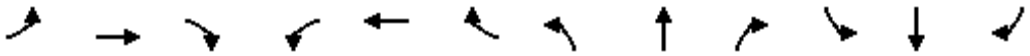


Fitted Curve Equation: P = 0.92(X) - 19.11

R^2= 0.84

I. BUILD CAPACITY REPORTS

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	33	352	143	45	101	49	94	192	147	45	290	81
Future Volume (vph)	33	352	143	45	101	49	94	192	147	45	290	81
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	10	10	12	11	12	10	15	12	10	16	12
Storage Length (ft)	0		0	0		0	45		0	50		0
Storage Lanes	0		1	0		0	1		0	1		0
Taper Length (ft)	25			25			60			85		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00	0.91		0.98		0.95	0.96		0.97	0.97	
Frt			0.850		0.966			0.935			0.967	
Flt Protected		0.996			0.989		0.950			0.950		
Satd. Flow (prot)	0	1450	1478	0	1358	0	1636	1805	0	1546	1670	0
Flt Permitted		0.959			0.832		0.311			0.470		
Satd. Flow (perm)	0	1394	1340	0	1134	0	511	1805	0	739	1670	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			151		22			49			18	
Link Speed (mph)		20			20			20			20	
Link Distance (ft)		957			414			841			197	
Travel Time (s)		32.6			14.1			28.7			6.7	
Confl. Peds. (#/hr)	16		37	37		16	51		33	33		51
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	9%	5%	2%	7%	8%	18%	3%	6%	2%	9%	5%	5%
Parking (#/hr)		7			7						7	
Adj. Flow (vph)	35	371	151	47	106	52	99	202	155	47	305	85
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	406	151	0	205	0	99	357	0	47	390	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			10			10	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.31	1.09	1.00	1.25	1.00	1.09	0.88	1.00	1.09	1.03	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	2	1	1	2		1	2		1	2	
Detector Template	Left	Thru	Right	Left	Thru		Left	Thru		Left	Thru	
Leading Detector (ft)	20	100	20	20	100		20	100		20	100	
Trailing Detector (ft)	0	0	0	0	0		0	0		0	0	
Detector 1 Position(ft)	0	0	0	0	0		0	0		0	0	
Detector 1 Size(ft)	20	6	20	20	6		20	6		20	6	
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 2 Position(ft)		94			94			94			94	
Detector 2 Size(ft)		6			6			6			6	
Detector 2 Type		Cl+Ex			Cl+Ex			Cl+Ex			Cl+Ex	



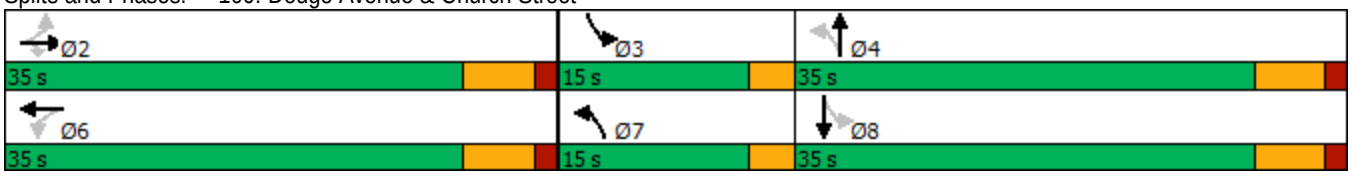
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Detector 2 Channel												
Detector 2 Extend (s)		0.0			0.0			0.0			0.0	
Turn Type	Perm	NA	Perm	Perm	NA		pm+pt	NA		pm+pt	NA	
Protected Phases		2			6		7	4		3	8	
Permitted Phases	2		2	6			4			8		
Detector Phase	2	2	2	6	6		7	4		3	8	
Switch Phase												
Minimum Initial (s)	8.0	8.0	8.0	8.0	8.0		3.0	8.0		3.0	8.0	
Minimum Split (s)	14.0	14.0	14.0	14.0	14.0		6.0	14.0		6.0	14.0	
Total Split (s)	35.0	35.0	35.0	35.0	35.0		15.0	35.0		15.0	35.0	
Total Split (%)	41.2%	41.2%	41.2%	41.2%	41.2%		17.6%	41.2%		17.6%	41.2%	
Maximum Green (s)	29.0	29.0	29.0	29.0	29.0		12.0	29.0		12.0	29.0	
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.0	4.5		3.0	4.5	
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		0.0	1.5		0.0	1.5	
Lost Time Adjust (s)		0.0	0.0		0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)		6.0	6.0		6.0		3.0	6.0		3.0	6.0	
Lead/Lag							Lead	Lag		Lead	Lag	
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	
Vehicle Extension (s)	7.0	7.0	7.0	7.0	7.0		3.0	5.0		3.0	5.0	
Recall Mode	Max	Max	Max	Max	Max		None	None		None	None	
Walk Time (s)	7.0	7.0	7.0	7.0	7.0			7.0			7.0	
Flash Dont Walk (s)	14.0	14.0	14.0	14.0	14.0			14.0			14.0	
Pedestrian Calls (#/hr)	0	0	0	0	0			0			0	
Act Effct Green (s)		29.7	29.7		29.7		34.5	26.2		31.3	22.9	
Actuated g/C Ratio		0.40	0.40		0.40		0.47	0.35		0.42	0.31	
v/c Ratio		0.72	0.24		0.44		0.27	0.53		0.12	0.74	
Control Delay		31.5	4.7		21.0		11.6	19.7		10.2	31.2	
Queue Delay		0.0	0.0		0.0		0.0	0.0		0.0	0.0	
Total Delay		31.5	4.7		21.0		11.6	19.7		10.2	31.2	
LOS		C	A		C		B	B		B	C	
Approach Delay		24.2			21.0			18.0			29.0	
Approach LOS		C			C			B			C	
Queue Length 50th (ft)		166	0		64		23	116		11	156	
Queue Length 95th (ft)		#354	38		141		46	201		26	261	
Internal Link Dist (ft)		877			334			761			117	
Turn Bay Length (ft)							45			50		
Base Capacity (vph)		560	628		468		429	784		480	681	
Starvation Cap Reductn		0	0		0		0	0		0	0	
Spillback Cap Reductn		0	0		0		0	0		0	0	
Storage Cap Reductn		0	0		0		0	0		0	0	
Reduced v/c Ratio		0.72	0.24		0.44		0.23	0.46		0.10	0.57	

Intersection Summary	
Area Type:	Other
Cycle Length: 85	
Actuated Cycle Length: 73.9	
Natural Cycle: 55	
Control Type: Actuated-Uncoordinated	
Maximum v/c Ratio: 0.74	

Intersection Signal Delay: 23.4	Intersection LOS: C
Intersection Capacity Utilization 82.5%	ICU Level of Service E
Analysis Period (min) 15	

\# 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 100: Dodge Avenue & Church Street



Intersection	
Int Delay, s/veh	3.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇕			⇕			⇕			⇕	
Traffic Vol, veh/h	15	507	22	48	167	14	16	17	85	9	18	12
Future Vol, veh/h	15	507	22	48	167	14	16	17	85	9	18	12
Conflicting Peds, #/hr	10	0	7	7	0	10	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	4	2	2	10	2	2	2	2	20	2	25
Mvmt Flow	16	534	23	51	176	15	17	18	89	9	19	13

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	201	0	0	564	0	0	887	888	553	927	892	194
Stage 1	-	-	-	-	-	-	585	585	-	296	296	-
Stage 2	-	-	-	-	-	-	302	303	-	631	596	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.3	6.52	6.45
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.3	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.3	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.68	4.018	3.525
Pot Cap-1 Maneuver	1371	-	-	1008	-	-	265	283	533	231	281	792
Stage 1	-	-	-	-	-	-	497	498	-	675	668	-
Stage 2	-	-	-	-	-	-	707	664	-	440	492	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1357	-	-	1000	-	-	231	258	529	170	256	784
Mov Cap-2 Maneuver	-	-	-	-	-	-	231	258	-	170	256	-
Stage 1	-	-	-	-	-	-	485	486	-	657	624	-
Stage 2	-	-	-	-	-	-	636	620	-	346	480	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.2	1.8	18	20
HCM LOS			C	C

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	399	1357	-	-	1000	-	-	281
HCM Lane V/C Ratio	0.311	0.012	-	-	0.051	-	-	0.146
HCM Control Delay (s)	18	7.7	0	-	8.8	0	-	20
HCM Lane LOS	C	A	A	-	A	A	-	C
HCM 95th %tile Q(veh)	1.3	0	-	-	0.2	-	-	0.5

Intersection	
Int Delay, s/veh	0.2

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	9	3	267	7	2	407
Future Vol, veh/h	9	3	267	7	2	407
Conflicting Peds, #/hr	3	0	0	9	9	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	8	50	2	5
Mvmt Flow	9	3	281	7	2	428

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	729	294	0	0	297	0
Stage 1	294	-	-	-	-	-
Stage 2	435	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	390	745	-	-	1264	-
Stage 1	756	-	-	-	-	-
Stage 2	653	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	385	739	-	-	1253	-
Mov Cap-2 Maneuver	385	-	-	-	-	-
Stage 1	749	-	-	-	-	-
Stage 2	650	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	13.5	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	437	1253	-
HCM Lane V/C Ratio	-	-	0.029	0.002	-
HCM Control Delay (s)	-	-	13.5	7.9	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	1.9

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	1	1	8	1	1	1	7	38	1	1	30	1
Future Vol, veh/h	1	1	8	1	1	1	7	38	1	1	30	1
Conflicting Peds, #/hr	3	0	0	0	0	3	0	0	9	9	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	10	2
Mvmt Flow	1	1	8	1	1	1	7	40	1	1	32	1

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	94	99	33	103	99	53	33	0	0	50	0	0
Stage 1	35	35	-	64	64	-	-	-	-	-	-	-
Stage 2	59	64	-	39	35	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	889	791	1041	877	791	1014	1579	-	-	1557	-	-
Stage 1	981	866	-	947	842	-	-	-	-	-	-	-
Stage 2	953	842	-	976	866	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	881	779	1041	858	779	1002	1579	-	-	1544	-	-
Mov Cap-2 Maneuver	881	779	-	858	779	-	-	-	-	-	-	-
Stage 1	976	865	-	934	830	-	-	-	-	-	-	-
Stage 2	943	830	-	966	865	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	8.7	9.2	1.1	0.2
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1579	-	-	990	870	1544	-	-
HCM Lane V/C Ratio	0.005	-	-	0.011	0.004	0.001	-	-
HCM Control Delay (s)	7.3	0	-	8.7	9.2	7.3	0	-
HCM Lane LOS	A	A	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0	0	0	-	-

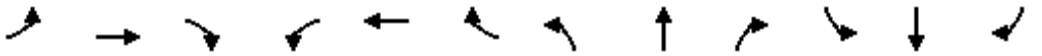
Intersection	
Int Delay, s/veh	6.4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1	4	6	1	11	4
Future Vol, veh/h	1	4	6	1	11	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	4	6	1	12	4

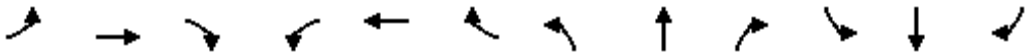
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	5	0	16	3
Stage 1	-	-	-	-	3	-
Stage 2	-	-	-	-	13	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1616	-	1002	1081
Stage 1	-	-	-	-	1020	-
Stage 2	-	-	-	-	1010	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1616	-	998	1081
Mov Cap-2 Maneuver	-	-	-	-	998	-
Stage 1	-	-	-	-	1020	-
Stage 2	-	-	-	-	1006	-

Approach	EB	WB	NB
HCM Control Delay, s	0	6.2	8.6
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	1019	-	-	1616	-
HCM Lane V/C Ratio	0.015	-	-	0.004	-
HCM Control Delay (s)	8.6	-	-	7.2	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	45	247	104	22	155	65	92	244	72	36	221	56
Future Volume (vph)	45	247	104	22	155	65	92	244	72	36	221	56
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	10	10	12	11	12	10	15	12	10	16	12
Storage Length (ft)	0		0	0		0	45		0	50		0
Storage Lanes	0		1	0		0	1		0	1		0
Taper Length (ft)	25			25			60			85		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00	0.82		0.97		0.94	0.98		0.96	0.98	
Frt			0.850		0.964			0.966			0.970	
Flt Protected		0.992			0.995		0.950			0.950		
Satd. Flow (prot)	0	1481	1463	0	1444	0	1652	1908	0	1478	1702	0
Flt Permitted		0.917			0.954		0.405			0.539		
Satd. Flow (perm)	0	1363	1193	0	1373	0	662	1908	0	805	1702	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			109		24			19			16	
Link Speed (mph)		20			20			25			25	
Link Distance (ft)		957			414			841			197	
Travel Time (s)		32.6			14.1			22.9			5.4	
Confl. Peds. (#/hr)	22		83	83		22	50		37	37		50
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles (%)	7%	2%	3%	2%	3%	6%	2%	4%	2%	14%	4%	2%
Parking (#/hr)		7			7						7	
Adj. Flow (vph)	47	260	109	23	163	68	97	257	76	38	233	59
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	307	109	0	254	0	97	333	0	38	292	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			10			10	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.31	1.09	1.00	1.25	1.00	1.09	0.88	1.00	1.09	1.03	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	2	1	1	2		1	2		1	2	
Detector Template	Left	Thru	Right	Left	Thru		Left	Thru		Left	Thru	
Leading Detector (ft)	20	100	20	20	100		20	100		20	100	
Trailing Detector (ft)	0	0	0	0	0		0	0		0	0	
Detector 1 Position(ft)	0	0	0	0	0		0	0		0	0	
Detector 1 Size(ft)	20	6	20	20	6		20	6		20	6	
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Detector 2 Position(ft)		94			94			94			94	
Detector 2 Size(ft)		6			6			6			6	
Detector 2 Type		Cl+Ex			Cl+Ex			Cl+Ex			Cl+Ex	

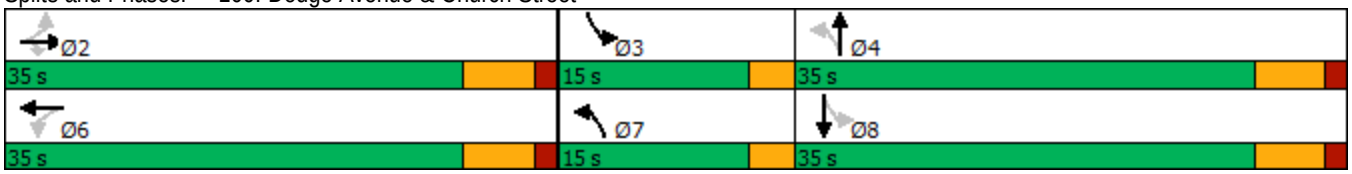


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Detector 2 Channel												
Detector 2 Extend (s)		0.0			0.0			0.0			0.0	
Turn Type	Perm	NA	Perm	Perm	NA		pm+pt	NA		pm+pt	NA	
Protected Phases		2			6		7	4		3	8	
Permitted Phases	2		2	6			4			8		
Detector Phase	2	2	2	6	6		7	4		3	8	
Switch Phase												
Minimum Initial (s)	8.0	8.0	8.0	8.0	8.0		3.0	8.0		3.0	8.0	
Minimum Split (s)	14.0	14.0	14.0	14.0	14.0		6.0	14.0		6.0	14.0	
Total Split (s)	35.0	35.0	35.0	35.0	35.0		15.0	35.0		15.0	35.0	
Total Split (%)	41.2%	41.2%	41.2%	41.2%	41.2%		17.6%	41.2%		17.6%	41.2%	
Maximum Green (s)	29.0	29.0	29.0	29.0	29.0		12.0	29.0		12.0	29.0	
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.0	4.5		3.0	4.5	
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		0.0	1.5		0.0	1.5	
Lost Time Adjust (s)		0.0	0.0		0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)		6.0	6.0		6.0		3.0	6.0		3.0	6.0	
Lead/Lag							Lead	Lag		Lead	Lag	
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	
Vehicle Extension (s)	7.0	7.0	7.0	7.0	7.0		3.0	5.0		3.0	5.0	
Recall Mode	Max	Max	Max	Max	Max		None	None		None	None	
Walk Time (s)	7.0	7.0	7.0	7.0	7.0			7.0			7.0	
Flash Dont Walk (s)	14.0	14.0	14.0	14.0	14.0			14.0			14.0	
Pedestrian Calls (#/hr)	0	0	0	0	0			0			0	
Act Effct Green (s)		29.7	29.7		29.7		30.4	23.9		26.8	18.6	
Actuated g/C Ratio		0.43	0.43		0.43		0.44	0.34		0.39	0.27	
v/c Ratio		0.53	0.19		0.42		0.24	0.50		0.10	0.62	
Control Delay		22.0	5.0		18.2		11.8	20.2		10.6	27.8	
Queue Delay		0.0	0.0		0.0		0.0	0.0		0.0	0.0	
Total Delay		22.0	5.0		18.2		11.8	20.2		10.6	27.8	
LOS		C	A		B		B	C		B	C	
Approach Delay		17.6			18.2			18.3			25.8	
Approach LOS		B			B			B			C	
Queue Length 50th (ft)		98	0		69		23	92		9	107	
Queue Length 95th (ft)		221	33		164		46	194		23	185	
Internal Link Dist (ft)		877			334			761			117	
Turn Bay Length (ft)							45			50		
Base Capacity (vph)		581	571		599		466	836		470	735	
Starvation Cap Reductn		0	0		0		0	0		0	0	
Spillback Cap Reductn		0	0		0		0	0		0	0	
Storage Cap Reductn		0	0		0		0	0		0	0	
Reduced v/c Ratio		0.53	0.19		0.42		0.21	0.40		0.08	0.40	

Intersection Summary	
Area Type:	Other
Cycle Length: 85	
Actuated Cycle Length: 69.5	
Natural Cycle: 50	
Control Type: Actuated-Uncoordinated	
Maximum v/c Ratio: 0.62	

Intersection Signal Delay: 19.8	Intersection LOS: B
Intersection Capacity Utilization 67.3%	ICU Level of Service C
Analysis Period (min) 15	

Splits and Phases: 100: Dodge Avenue & Church Street



Intersection	
Int Delay, s/veh	3.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇕			⇕			⇕			⇕	
Traffic Vol, veh/h	32	317	6	11	206	22	18	14	65	15	4	18
Future Vol, veh/h	32	317	6	11	206	22	18	14	65	15	4	18
Conflicting Peds, #/hr	30	0	8	8	0	30	1	0	0	0	0	1
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	4	3	2	2	4	2	2	2	2	2	2	6
Mvmt Flow	34	334	6	12	217	23	19	15	68	16	4	19

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	270	0	0	348	0	0	678	707	345	730	699	260
Stage 1	-	-	-	-	-	-	413	413	-	283	283	-
Stage 2	-	-	-	-	-	-	265	294	-	447	416	-
Critical Hdwy	4.14	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.26
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.236	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.354
Pot Cap-1 Maneuver	1282	-	-	1211	-	-	366	360	698	338	364	769
Stage 1	-	-	-	-	-	-	616	594	-	724	677	-
Stage 2	-	-	-	-	-	-	740	670	-	591	592	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1242	-	-	1200	-	-	338	330	692	275	333	745
Mov Cap-2 Maneuver	-	-	-	-	-	-	338	330	-	275	333	-
Stage 1	-	-	-	-	-	-	590	568	-	678	648	-
Stage 2	-	-	-	-	-	-	707	641	-	501	567	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.7	0.4	13.8	14.8
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	512	1242	-	-	1200	-	-	408
HCM Lane V/C Ratio	0.199	0.027	-	-	0.01	-	-	0.095
HCM Control Delay (s)	13.8	8	0	-	8	0	-	14.8
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.7	0.1	-	-	0	-	-	0.3

Intersection	
Int Delay, s/veh	0.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	11	4	348	6	5	302
Future Vol, veh/h	11	4	348	6	5	302
Conflicting Peds, #/hr	2	5	0	27	27	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	5	2	2	4
Mvmt Flow	12	4	366	6	5	318

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	726	401	0	0	399	0
Stage 1	396	-	-	-	-	-
Stage 2	330	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	391	649	-	-	1160	-
Stage 1	680	-	-	-	-	-
Stage 2	728	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	378	630	-	-	1130	-
Mov Cap-2 Maneuver	378	-	-	-	-	-
Stage 1	662	-	-	-	-	-
Stage 2	723	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	13.8	0	0.1
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	423	1130	-
HCM Lane V/C Ratio	-	-	0.037	0.005	-
HCM Control Delay (s)	-	-	13.8	8.2	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	1	1	8	1	1	1	15	54	1	1	29	1
Future Vol, veh/h	1	1	8	1	1	1	15	54	1	1	29	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	8	8	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	3	2
Mvmt Flow	1	1	8	1	1	1	16	57	1	1	31	1

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	125	132	32	136	132	66	32	0	0	66	0	0
Stage 1	34	34	-	98	98	-	-	-	-	-	-	-
Stage 2	91	98	-	38	34	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	849	759	1042	835	759	998	1580	-	-	1536	-	-
Stage 1	982	867	-	908	814	-	-	-	-	-	-	-
Stage 2	916	814	-	977	867	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	840	745	1042	814	745	990	1580	-	-	1524	-	-
Mov Cap-2 Maneuver	840	745	-	814	745	-	-	-	-	-	-	-
Stage 1	972	866	-	892	799	-	-	-	-	-	-	-
Stage 2	905	799	-	967	866	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	8.7	9.3	1.6	0.2
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1580	-	-	979	838	1524	-	-
HCM Lane V/C Ratio	0.01	-	-	0.011	0.004	0.001	-	-
HCM Control Delay (s)	7.3	0	-	8.7	9.3	7.4	0	-
HCM Lane LOS	A	A	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0	0	0	-	-

Intersection	
Int Delay, s/veh	6.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1	8	13	1	13	5
Future Vol, veh/h	1	8	13	1	13	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	8	14	1	14	5

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	9	0	34	5
Stage 1	-	-	-	-	5	-
Stage 2	-	-	-	-	29	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1611	-	979	1078
Stage 1	-	-	-	-	1018	-
Stage 2	-	-	-	-	994	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1611	-	970	1078
Mov Cap-2 Maneuver	-	-	-	-	970	-
Stage 1	-	-	-	-	1018	-
Stage 2	-	-	-	-	985	-

Approach	EB	WB	NB
HCM Control Delay, s	0	6.7	8.7
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	998	-	-	1611	-
HCM Lane V/C Ratio	0.019	-	-	0.008	-
HCM Control Delay (s)	8.7	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0	-







Kimley»Horn

4201 Winfield Road | Suite 600 | Warrenville, IL 60555
630-487-5550

1811-1815 Church Street, 22ZMJV-0092

Updated zoning analysis

City of Evanston

Zoning Analysis Summary

2-16-23 MH
~~01-05-23~~

UPDATED: ~~12-06-22~~

Case Number:	Case Status/Determination:
22ZONA-0019 – 1811-1815 CHURCH STREET MT. PISGAH APARTMENTS - HODC	NON-COMPLIANT

~~12-14-22~~

Plan Dated: ~~02-21-22~~ 02-10-23

By: CORDOGAN CLARK ✓

Proposal:

DEMOLISH EXISTING RELIGIOUS INSTITUTION AND CONSTRUCT A 5-STORY MIXED-USE BUILDING WITH 2 GROUND FLOOR RETAIL SPACES AND AFFORDABLE 44 DWELLING UNITS ABOVE. ENCLOSED GROUND FLOOR AND UNDERGROUND PARKING FOR ~~X~~ 46 ✓ SPACES.

Zoning Section:	Comments:
	The proposed development site includes the following PINs and includes the proposed development at 1801-1805 Church Street: 10-13-220-031-0000 10-13-220-032-0000 10-13-220-040-0000 10-13-220-041-0000 10-13-220-035-0000
6-15-15-II-E.7	Development site is located within the B2 Business District, oWE West Evanston Overlay District, and WE7 District in the West Evanston Zoning Overlay for Redevelopment Areas. WE7 District allows for the development of mixed-use building types.
Subdivision	As proposed, a plat of subdivision is required to establish new lot/property lines related to the proposed development to the east (1801-1805 Church Street – new Mt. Pisgah church building). East Lot: 12,036sf ✓ Lot size, proposed: ~~12,000 sf~~ Lot width, proposed: 75.0' West Lot: 16,914sf ✓ Lot size, proposed: ~~16,864 sf~~ Lot width, proposed: 105.4' per plat of subdiv.
6-15-15-II.A.1	Though not a Planned Development per the oWE West Evanston Overlay District, review by DAPR and public comment at the Land Use Commission is required.

6-15-15-IV-A.1	Permitted Uses: Compliant Ground floor: Standard: Commercial uses such as office, retail, and services Proposed: Retail Upper floors: Standard: Office, service, and residential Proposed: Residential
	Retail square footage: ~~3,407~~ sf ~~3318~~ 3537 ✓ Residential dwelling unit mix: 1-bedroom dwellings: ~~22~~ 13 ✓ 2-bedroom dwellings: 20 3-bedroom dwellings: ~~12~~ 11 ✓ Total: 44 dwellings
	IHO (Inclusionary Housing Ordinance): All dwelling units to be affordable.
6-15-15-IV, Table IV.A	No minimum lot size requirement. No minimum lot width requirement. No maximum Floor Area Ratio (FAR) requirement. No maximum building coverage requirement.
6-15-15-IX-A.3	**Front yard build to zone: Non-compliant** Standard: 5'-10' Proposed: 0' Front building façade required to be constructed within Build-to Zones located between 5'-10' from the property line.
6-15-15-IX-A.5	**Interior side yard setback: Non-compliant** Standard: 5.0' Proposed, west and east interior side yard setbacks: 0.0'
6-15-15-IX-A.6	**Rear yard setback: Non-compliant** ✓ Standard: 5.0' Proposed: ~~5.0~~ 2.5 ✓
6-15-15-IX-A.7, 6-15-15-IX-A.8	**Impervious surface coverage: Non-compliant** Standard: 90% of lot area (15,776 sf) + 5% semi-pervious surface area (843.2 sf) Proposed: 99.7%, 16,813 sf 99.4% ✓
6-15-15-IX-B.1	**Building height: Non-compliant** Standard: 3 stories with overall maximum height of 47' for buildings along Church Street within 100' of Darrow Avenue with an 8' ziggurat setback at 3rd story. Proposed: 5 stores at 57.7' with partial ziggurat setback at the 5th story creating a roof deck/garden. ~~Roof deck/garden needs to be dimensioned~~.

6-15-15-IX-C.7, 6-15-15-IX-C.8	Exterior building materials: Compliant Standard: Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible. Concrete masonry units, bricks over 3" in height, and EIFS are not permitted. Proposed: ▪ Vinyl windows, ▪ Fiber cement lap and panel siding, ▪ Aluminum storefront system, and ▪ Brick.
6-16-2, Table 16-B, IHO (Inclusionary Housing Ordinance)	Parking: Compliant Site is not located in a TOD area, 20% of dwelling units have no parking requirement per IHO (Inclusionary Housing Ordinance) bonus (1 1-bedroom, 4 2-bedroom and 3 3-bedroom units treated as IHO bonus units and excluded from parking requirement assumed IHO bonus dwelling units). Standard: 44 spaces with 2 ADA accessible spaces Proposed: ~~50~~ 46 spaces with ~~12~~ 9 ADA accessible spaces Retail: 1 space per 350 sf 3,407 sf – 2,000 sf exemption permitted = 1,407 sf 1,407/350 = 4.02 spaces required Residential: 0.75 spaces per 1-bedroom dwelling *11 = 8.25 1.25 spaces per 2-bedroom dwelling *16 = 20 1.5 spaces per 3-bedroom dwelling *8 = 12 40.25 spaces required 4.02 + 40.25 = 44.3, 44 spaces required in total ~~Dimension ADA parking space and adjacent accessible aisles~~.
6-16-5, Table 16-E	**Loading berth: Non-compliant** Standard: 1 short loading berth/dock, minimum 10'x35' with a minimum vertical clearance of 14'. Proposed: ~~Sheet A1.0 Site Plan does not show a loading berth/dock, Sheet A1.1 Landscape Plan shows a loading berth/dock, not dimensioned.~~ 0 proposed Retail: 1 short per 5,000 – 10,000 sf Retail area less than 5,000 sf, no requirement Residential: 1 short per 30,000 – 100,000 Residential area is ~37,650 sf, 1 short required ~~Plan needs to clarify if a loading berth/dock is proposed, if so, plan sheets need to show consistent details, and the loading berth/dock needs to be dimensioned~~.

includes: ✓
4 EV charging + 1 ADA EV charging stations

	Additional comments may be provided as the review/zoning entitlement process moves forward.
	When submitting revisions, please provide a complete set of plans with revision dates noted.
Michael Griffith, Planner ~~12-06-22~~ ~~01-05-23~~ MG 02-14-23	

1811-1815 Church Street, 22ZMJV-0092

Memo to City Council's
Planning & Development Committee,
dated October 24, 2022

Memorandum

To:	Members of the Planning and Development Committee
From:	Melissa Klotz, Zoning Administrator
CC:	Sarah Flax, Interim Community Development Director; Elizabeth Williams, Planning Manager
Subject:	Discussion of the West Evanston Plan & Overlay Area and its impact on current and future development
Date:	October 24, 2022

Recommended Action:
Staff requests the Planning & Development Committee discuss the intent and policies of the West Evanston Master Plan and the corresponding zoning regulations of the oWE West Evanston Overlay District, and establish an appropriate path forward for future development in the western portion of Evanston and corresponding Five-Fifths TIF area. The existing plan and zoning regulations are proving problematic to anticipated and encouraged redevelopment such as the Mt. Pisgah site at Church & Darrow.

Committee Action:
For Discussion

Summary:
For decades, Evanston has been considered a top-tier municipality and leader in the Planning and Land Use arena. Throughout the 1990s and early 2000s, the Evanston community, City Planners, and contracted consulting firms engaged in thoughtful meetings, design charrettes, and public hearings to establish appropriate redevelopment plans and codified zoning requirements for certain areas of the city. These plans include extremely specific redevelopment details that must be followed and are codified in the oWE West Evanston Overlay District, and made sense prior to the 2007-2008 housing market crash and subsequent market reset. In conjunction with technological advancement (the internet, electric vehicles, transit oriented development), a focus on equity, and the post-pandemic future, some aspects of the West Evanston Master Plan and corresponding oWE West Evanston Overlay District are outdated, ineffective, and now create substantial barriers to the community revitalization they are supposed to encourage.

West Evanston Master Plan
Adopted in May 2007, the West Evanston Master Plan was established to create a coherent redevelopment plan for the West Evanston TIF area that is in effect through 2028 (primarily the

old Mayfair train line and adjacent industrial properties) to ensure complete streets and appropriate residential infill occurs over time. The general planning goals and objectives of the plan reflect past policy of the City and the community. The Plan was created via significant community involvement and included many meetings and charrettes where input was gathered from 2nd and 5th ward residents. While many of the goals and objectives of the West Evanston Master Plan remain true today, they may not prioritize the most significant challenges that Evanston now faces.

The plan called for sub-areas classified by general redevelopment guidelines, or with detailed form-based planning including exact redevelopment plans and zoning regulations. The sub-areas selected for form-based planning regulate exact housing types, building styles, building locations, new street layouts, height and bulk, uses, etc. This form-based code was established in the oWE West Evanston Overlay District that was adopted in January 2009 and is regulated within Sections 6-15-15 and 6-15-16 of the Zoning Ordinance.

oWE West Evanston Overlay District

The oWE West Evanston Overlay District is the zoning area that features the additional set of zoning regulations contemplated in the West Evanston Master Plan. Notably, these zoning regulations include redevelopment requirements for street extensions that include extensive storm water detention, curbs, sidewalks, street lights, etc. and dedication of that land back to the City. While the street extensions are ideal for linking existing blocks and fulfilling complete-streets with multimodal access, doing so is cost prohibitive, may increase vehicular traffic in existing neighborhoods, and removes private property from the property tax base once dedicated back to the City. Additionally, once constructed, the new streets, sidewalks, storm water, and other infrastructure requires life-long maintenance by the City.

Most of the street extensions required extend over multiple properties that are not currently held in common ownership. When the plan and overlay were originally enacted, the housing boom made it economically feasible for contiguous property owners to sell their properties together at once for one new large development opportunity; many property owners would sell if top-dollar were commanded. When the market crashed and property values fell, contiguous land sales (and redevelopment opportunities) no longer seemed feasible. Today, there are properties within the oWE Overlay District that are currently vacant or underutilized but are unable to redevelop because required street extensions straddle property lines and parcels that are not available for sale at this time.

Additionally, the oWE Overlay District requires rezoning of existing industrial properties as they redevelop. These properties typically exist in I1 Industrial/Office District, I2 General Industrial District, and MXE Mixed-Use Employment District, and are slated with WE1 West Evanston Transitional Overlay zoning. While the regulations do not include a sunset clause to require the closure of any existing industrial business/facility in operation, the Overlay does place additional industrial use restrictions to ensure all currently-zoning industrial properties in the Overlay become less-intense over time (ie. no use shall be more intense than any previously existing use at a subject property in the WE1 sub-area). This means some properties in the WE1 are currently restricted to office use only unless the existing structure(s) are demolished for residential redevelopment. While additional housing is needed in Evanston, so are industrial properties, which have greatly diminished in recent years. Industrial properties pay a portion of the property tax base and provide local blue-collar jobs.

Examples:

- National Awards Building (1611 Church) – This property is located within the oWE Overlay District with WE1 sub-area zoning, which is specified by the overlay as previously industrial property that will redevelop as multifamily residential. WE1 specifies existing structures cannot ever have a more intense use than the last use at the property. The last use in the 13,000 square foot building on a 46,000 square foot lot with a large surface parking lot was a miniature dollhouse furniture maker with approximately 3 employees. The overlay and WE1 mean the property is basically unusable and has now sat mostly vacant for years. If the existing industrial building is torn down for redevelopment, the property must redevelop as multifamily residential, which is appropriate. However, no redevelopment can occur unless the private developer also incorporates a street extension (street, storm water detention, curbs, sidewalks, street lights, etc.) of Florence Avenue, which dead ends at the intersection just south of the property. The street cannot be extended unless the property to the east (Cahill Plumbing) also redevelops at the same time. Even then, the plan and overlay require almost half of each of the two properties to be utilized for a public street. The remaining land for multifamily residential is not enough to cover the cost of the development, especially when considering the exact requirements for the multifamily residences as well (townhomes, private alley access, etc.). Furthermore, the properties likely could still not redevelop unless a third property that is immediately north is incorporated in, to further extend Florence Avenue north to a connecting street. There is a building on the third property in the way of where the street extension is required. The development/zoning problems of this property have been apparent to staff for a decade.
- ComEd Substation (1919 Church) – This property is located on the corner of Church and Brown, right next to the Y.O.U. building. The Substation was upgraded in 2016 to reduce brownouts and power outages in parts of Evanston. The overlay required a Special Use and variations to reduce the screening (fencing and landscaping) at the substation. The screening and extremely detailed landscaping requirement (which dictates plant spacing to the inch) was reduced for visual safety, ComEd equipment safety, future plant growth, and vision clearance. The overlay requirements were inappropriate and unduly burdensome for an existing utility station.
- Windy City Garden Center (2000 Green Bay Road) - Windy City Garden Center, a retail landscaping/plant nursery, proposed improvements to the parking lot to pave existing gravel parking areas. The proposal was required to comply with the landscaping requirements of the overlay. Windy City Garden Center, a landscaping/plant nursery, could not feasibly comply with the landscaping requirements of the oWE Overlay District and was granted exceptions by the Design & Project Review Committee to reduce plantings.
- Y.O.U. (1911 Church) – The new Y.O.U. building is the ONLY new construction that complies with the overlay. This took extensive detailed work by the owner's architect and many discussions with staff. However, the building is only considered compliant because staff determined the property could be considered a corner lot given the true corner (immediately west) is occupied by the ComEd Substation. As a corner lot, Y.O.U. had the option to construct an "iconic" building instead of a "mixed-use building". A "mixed-use building," as defined by the overlay, would have triggered many variations or been infeasible for the project.

- 2044 Wesley – This undeveloped property just south of the public storage facility at Simpson and Green Bay is appropriately slated for multifamily residential as well as a street extension of Jackson from Foster to Simpson. It is not economically feasible to follow the exact requirements of the overlay unless the public storage facility is torn down and redeveloped as well, therefore the property owner requested a map amendment to remove the property from the overlay in late 2019. The map amendment was recommended for denial by the Land Use Commission (since there was not an accompanying development proposal showing exactly what would be proposed at the site), but was approved by the City Council. The property owner then proceeded with a Planned Development for townhomes and one modest multifamily residential building, but later withdrew the request due to economic constraints. The property owner is now considering a higher-density proposal. Although not yet officially submitted to the City, staff is aware higher density may be appropriate but is not what the West Evanston Master Plan calls for at the site. The development/zoning problems with this property have been apparent to staff for over 5 years, and continues to be a problem even following removal of the property from the overlay district.

Conclusion: A new plan is needed that addresses the specific concerns of the West Evanston area and the future redevelopment of and/or preservation of industrial sites, the old Mayfair properties, and appropriate residential infill. Complete streets that increase land value and drive up housing costs may not be appropriate. Instead, additional bicycle and pedestrian paths may improve mobility while encouraging moderate housing costs for new construction. This plan should be part of the larger Comprehensive Plan that addresses the intersectionality of West Evanston to the rest of the city while understanding the past and current needs of the area and community.

Legislative History:
West Evanston Planning Area Map
West Evanston Master Plan Subarea 1 & 2
West Evanston Master Plan Subarea 3
oWE West Evanston Overlay Regulations (6-15-15 & 6-15-16)
TIF Information & Maps

This item was tabled to the next meeting at the October 10, 2022 P&D Committee meeting.

MINUTES

Planning & Development Committee

Monday, October 10, 2022 @ 6:00 PM

Lorraine H. Morton Civic Center, James C. Lytle City Council Chambers, Room 2800

COMMITTEE MEMBER PRESENT: Juan Geracaris, Councilmember, Jonathan Nieuwsma, Councilmember, Eleanor Revelle, Councilmember, Clare Kelly, Councilmember, Devon Reid, Chair, and Bobby Burns, Councilmember

COMMITTEE MEMBER ABSENT: Melissa Wynne, Councilmember

STAFF PRESENT: Sarah Flax, Interim Director of Community Development and Elizabeth Williams, Planning and Zoning Manager

(I) CALL TO ORDER - COUNCILMEMBER REID

A quorum being present Councilmember Reid called the meeting to order at 6:40 p.m.

(II) APPROVAL OF MINUTES

PM1. **Approval of the Minutes of the Regular Planning & Development Committee meeting of September 27, 2022**

Staff recommends approval of the Minutes of the Regular Planning & Development Committee meeting of September 27, 2022.

Moved by Councilmember Jonathan Nieuwsma
Seconded by Councilmember Bobby Burns

Ayes: Councilmember Juan Geracaris, Councilmember Jonathan Nieuwsma, Councilmember Bobby Burns, Councilmember Eleanor Revelle, Councilmember Clare Kelly, and Councilmember Devon Reid

Carried 6-0 on a recorded vote

(III) PUBLIC COMMENT

Comments on D1:
Betty Ester asked for clarification and community involvement on what components of the plan were for discussion.

Trisha Connolly desires more community engagement and a written plan on how that will be conducted.

Tina Paden noted that items in the plan including a new school, affordable housing, and money for small landlords have not occurred. She also expressed the need for more community involvement.

Carlis Sutton stated need for public input.

Sam Vaghani noted that the Evanston's LEED for Cities and Communities certification in 2018 demonstrated leadership and would like to see neighboring communities also involved.

Priscilla Chiles would like more community input.

Janet Alexander asked for confirmation that this item was only for discussion and that there would be time for more community meetings. Councilmember Reid confirmed that was correct.

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(IV) ITEMS FOR CONSIDERATION

(V) ITEMS FOR DISCUSSION

D1. Discussion of the West Evanston Plan & Overlay Area and its impact on current and future development

Motion to table the D1 discussion of the West Evanston Plan & Overlay Area and its impact on current and future development.

Moved by Councilmember Juan Geracaris
Seconded by Councilmember Jonathan Nieuwsma.

Ayes: Councilmember Eleanor Revelle, Councilmember Clare Kelly, Councilmember Juan Geracaris, Councilmember Jonathan Nieuwsma, Councilmember Devon Reid and Councilmember Bobby Burns

Carried 6-0 on a recorded vote

(VI) ITEMS FOR COMMUNICATION

(VII) ADJOURNMENT

Councilmember Burns adjourned the meeting at 6:56 p.m.

Respectfully submitted,
Amy Ahner, Planning Consultant
Meagan Jones, Neighborhood & Land Use Planner

1811-1815 Church Street, 22ZMJV-0092

Applications

MAJOR VARIATION
APPLICATION

CASE #: 22ZONA-0019

zoning office use only

1. PROPERTY

Address 1811-1815 Church St.

Permanent Identification Number(s):

PIN 1: 10-13-220-032-0000 PIN 2: 10-13-220-031-0000

(Note: An accurate plat of survey for all properties that are subject to this application **must** be submitted with the application.

2. APPLICANT

Name: Richard Koenig, Executive Director

Organization: Housing Opportunity Development Corporation

Address: 5340 Lincoln Avenue

City, State, Zip: Skokie IL 60077

Phone: Work: 847-564-2900 Home: Cell/Other: 847-508-0418

Fax: Work: Home:

E-mail: rkoenig@hodc.org

Please circle the primary means of contact.

What is the relationship of the applicant to the property owner?

- ☐ **same**
- ☐ builder/contractor
- ☐ contract purchaser
- ☐ potential lessee
- ☐ architect
- ☐ attorney
- ☐ lessee
- ☐ real estate agent
- ☐ officer of board of directors
- ☒ other: donee

3. PROPERTY OWNER (Required if different than applicant. **All** property owners must be listed and must sign below.)

Name(s) or Organization: Mt. Pisgah Ministry Inc.

Address: 1813 Church Street

City, State, Zip: Evanston IL 60201

Phone: Work: 847-328-6808 Home: Cell/Other: 847-875-3224

Fax: Work: Home:

E-mail: cwilson@mtpisgahministry.org

Please circle the primary means of contact.

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Property Owner(s) Signature(s) -- **REQUIRED** Date: 07/14/2022

4. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

Applicant Signature – **REQUIRED** Date: 7/15/2022

5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- ☒ **(This) Completed and Signed Application Form**
- ☒ **Plat of Survey** Date of Survey: 7/8/2022
- ☒ **Project Site Plan** Date of Drawings: 4/21/2022
- ☒ **Plan or Graphic Drawings of Proposal** (If needed, see notes)
- ☒ **Non-Compliant Zoning Analysis**
- ☒ **Proof of Ownership** Document Submitted: Agreement
- ☒ **Application Fee (see zoning fees)** Amount $_____ plus Deposit Fee $150

Note: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey

(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan

(1) One copy of site plan, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal

A Major Variance application requires graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- **Tax bill will not be accepted as Proof of Ownership.**

Non-Compliant Zoning Analysis

This document informed you that the proposed project is non-compliant with the Zoning Code and is eligible to apply for a major variance.

Application Fee

*** IMPORTANT NOTE: Except for owner-occupied residents in districts R1, R2 & R3, a separate application fee will be assessed for each variation requested.**

The fee application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.

6. PROPOSED PROJECT

A. Briefly describe the proposed project:

Demolish existing religious institution and construct 5-story mixed use building with 2 ground floor retail spaces and 44 DUs on upper floors. Enclosed ground floor and underground parking with 47 spaces.

B. Have you applied for a Building Permit for this project? ☒ **NO** ☐ **YES**

(Date Applied: _____ Building Permit Application #: _____)

REQUESTED VARIATIONS

What specific variations are you requesting? For each variation, indicate (A) the specific section of the Zoning Ordinance that identifies the requirement, (B) the requirement (minimum or maximum) from which you seek relief, and (C) the amount of the exception to this requirement you request the City to grant.
(See the Zoning Analysis Summary Sheet for your project's information)

(A) Section (ex. "6-8-3-4")	**(B) Requirement to be Varied** (ex. "requires a minimum front yard setback of 27 feet")	**(C) Requested Variation** (ex. "a front yard setback of 25.25 feet")
1		
_____	See attached Exhibit A _____ _____ _____	_____ _____ _____

*** For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.**

2		
_____	_____ _____ _____	_____ _____ _____
3		
_____	_____ _____ _____	_____ _____ _____

B. A variation's purpose is to provide relief from specified provisions of the zoning ordinance that may unduly impact property due to the property's particular peculiarity and special characteristics. What characteristics of your property prevent compliance with the Zoning Ordinance requirements?

The property consists of vacant lots on a developed block. Compliance would not allow the new building to fit into the neighborhood or provide amenities necessary to create an attractive structure.

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining (touching or joining at any point, line, or boundary) properties.

The requested variances will not have a substantial adverse impact on the use, enjoyment or property values of any adjoining properties because the new building will create a positive environment and serve the community by offering affordable housing and neighborhood retail that serves the community. Variances such as setback relief is consistent with existing buildings, height relief will not block air and light from adjoining properties due to its shape, and increased impervious surface coverage will still control storm water. There will be adequate parking. The variance requests are minor compared to other developments and yet will improve a long-vacant lot. The new building will otherwise be constructed in accordance with applicable City ordinances.

2. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.

It would not be feasible to construct the new building if the regulations were followed. The City's Consolidated Plan describes the extensive need for affordable housing and compliance would reduce the number of units making the project infeasible and reducing the positive impact to reach the City's goal of more affordable units. The proposed building includes new retail space to serve the community. The residential portion includes community space, storage, on-site management, laundry, a roof deck and other amenities for building residents. The building would not be able to function and serve its community if the building were to be constructed in strict conformance with Zoning Ordinance requirements since there would not be adequate space for these features.

3. Either…

   (a) the purpose of the variation is not based exclusively upon a desire to extract income from the property, or
   (b) while the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Zoning Board of Appeals or the City Council, depending upon final jurisdiction under §6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to any of the standards of §6-3-6-3.

The purpose of the variation is not based exclusively upon a desire to extract income from the property. The development will provide affordable housing for low income households and neighborhood retail. The rents will be below market so there will be no financial benefit to allowing the variances. The new building will create benefits to the community that will be realized if the variations are granted such as new retail space and sales taxes, real estate taxes, community space, management office, ADA-compliant units, adequate parking, and building security.

4. The alleged difficulty or hardship has not been self-created, if so, please explain.

Building new affordable housing with retail on a nearly vacant lot will enhance the overall community as well as this block. The hardship is created by the limitations of the parcel itself which is located in a built-out community and part of a larger redevelopment effort to improve the neighborhood.

5. Have other alternatives been considered, and if so, why would they not work?

The design team has considered many alternatives and the variances requested create the best possible project for the area.

City of Evanston
DISCLOSURE STATEMENT FOR ZONING HEARINGS

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made: Does not apply.

2. *If a person or organization owns or controls the proposed land user*, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number _____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.) N/A

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number _____ above, or indicated below. N/A

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number _____ above, or indicated below.

N/A

If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

a. Names and addresses of all officers and directors.

See attached the board of directors.

b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

Applicant is a charitable nonprofit organization and has no shareholders.

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.

Applicant is a charitable nonprofit organization.

HODC FY2022 Board of Directors

William A. Sholten III, *President* 1041 Ridge Rd, #318 Wilmette, IL 60091
Kathleen Cortez, *Vice President* 141 S Fremont St. Palatine, IL 60067
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Alan Heichman 812 Saratoga Lane Buffalo Grove IL 60089
Jack Kaplan 1331 Church Street Northbrook, IL 60062
Chealon Ann Shears 1431 West Greenleaf Avenue, #1S Chicago, IL 60626
Jon Teuber 2244 Glenview Rd Glenview IL 60025
Catalina J Vielma 2738 Central Park Avenue Evanston IL 60201
Sydney Zimelis 1120 South Blvd Evanston, IL 60202

Plat of Survey

EDWARD J. MOLLOY & ASSOCIATES

A DIVISION OF THOMAS A. MOLLOY, LTD. – PROFESSIONAL LAND SURVEYING

1236 MARK STREET, BENSENVILLE, ILLINOIS 60106 (630) 595–2600 Fax (630) 595–4700

e–mail: tmolloy@ejmolloy.com

PLAT OF SURVEY

OF

PARCEL 1:
THE NORTH 26.60 FEET OF LOTS 9 AND 10 IN BLOCK 3 IN MERRILL LADDS 2ND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
THE SOUTH 27.4 FEET OF THE NORTH 28 FEET OF THE SOUTH 134 FEET OF LOTS 9 AND 10 (EXCEPT THE WEST 13 FEET OF THE NORTH 15 FEET OF THE SOUTH 121 FEET) OF SAID LOT 10 IN BLOCK 3 IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:
THE SOUTH 106.00 FEET OF LOTS 9 AND 10 IN BLOCK 3, IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, SAID ADDITION BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:
LOT 11 IN BLOCK 3, IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5:
THE EAST HALF OF LOT 12, BLOCK 3, IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1805–1815 CHURCH STREET AND 1708–1710 DARROW AVENUE, EVANSTON, ILLINOIS

N

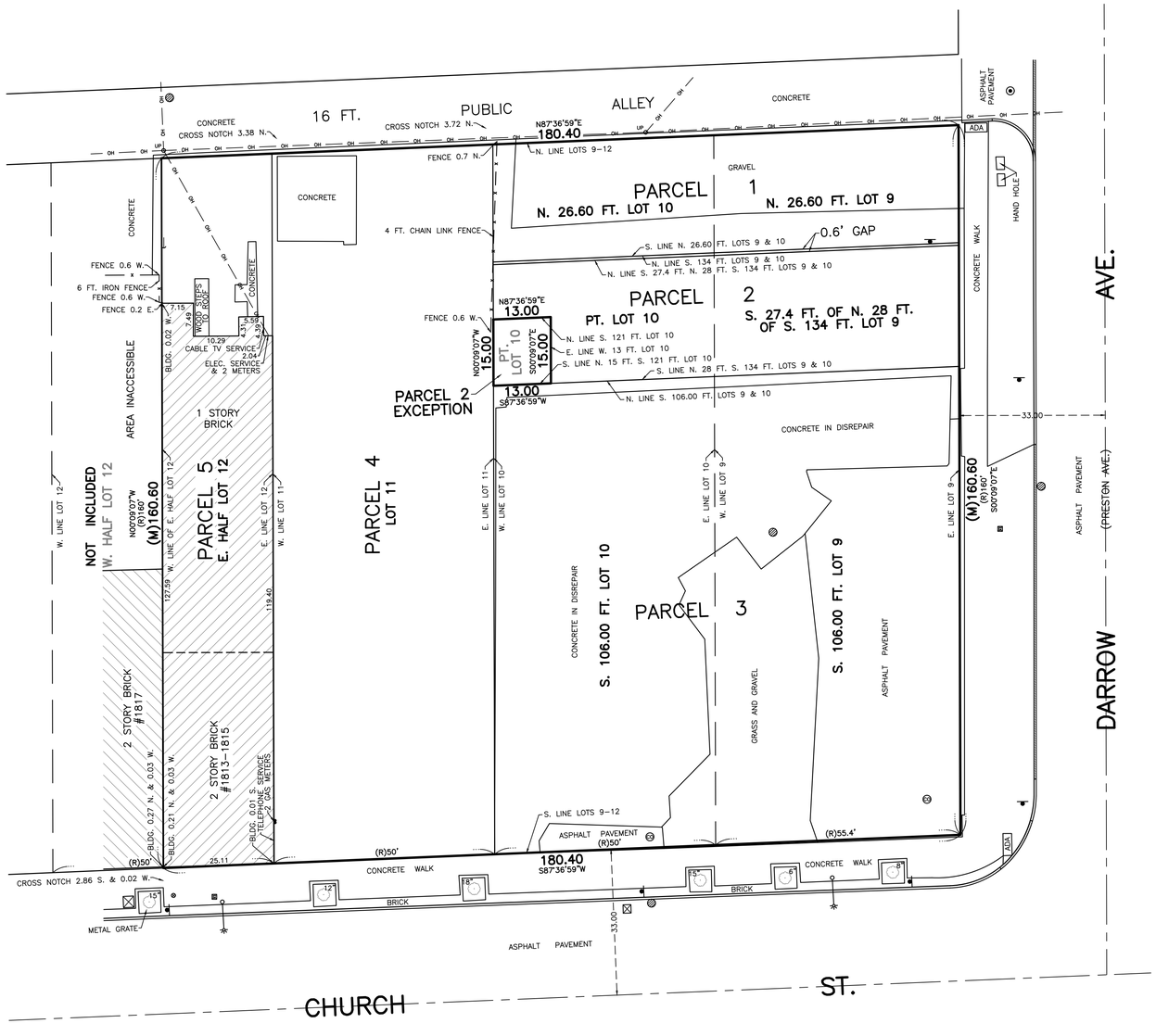
1" = 15'

0 15' 30'

GRAPHIC SCALE

LEGEND:

- Storm Manhole
- Storm Catch Basin/Inlet
- B–Box
- Light Pole W/Arm
- Utility Pole W/Overhead Wire
- Anchor for Power Pole
- Traffic Sign
- Electric Vault
- Gas Valve
- Cleanout
- 12" Tree W/Trunk Diameter
- Depressed Curb
- (M) Measured
- (R) Record
- ADA ADA Tactile Dome



TAX PERMANENT INDEX NUMBER:
10–13–220–031–0000
10–13–220–032–0000
10–13–220–035–0000
10–13–220–040–0000
10–13–220–041–0000

TOTAL AREA OF TRACT SURVEYED:
29,145 SQ. FT. OR 0.6691 ACRES

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED DATUM AND DO NOT REFLECT ANY RECORD DRAWINGS.

COMPARE LEGAL DESCRIPTION AND MONUMENTS WITH THIS PLAT AND REPORT ANY DISCREPANCIES YOU MAY FIND TO THIS SURVEYOR AT ONCE.

BUILDING DIMENSIONS AND TIES ARE TO CORNERS OF BRICK UNLESS OTHERWISE NOTED.

NO DIMENSIONS TO BE ASSUMED FROM SCALING.

NO TITLE COMMITMENT PROVIDED TO THIS SURVEYOR TO AID IN THE PREPARATION OF THIS SURVEY. REFER TO TITLE POLICY FOR ITEMS OF RECORD, IF ANY, NOT SHOWN HEREON.

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)

I, THOMAS A. MOLLOY, AN ILLINOIS PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE UNDER MY DIRECTION OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THE PLAT HEREON DRAWN IS A REPRESENTATION OF SAID SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATE OF LAST FIELD WORK: JULY 1, 2022.

SIGNED AT BENSENVILLE, ILLINOIS THIS 8TH DAY OF JULY , A.D. 2022

EDWARD J. MOLLOY AND ASSOCIATES, A DIVISION OF THOMAS A. MOLLOY, LTD.
AN ILLINOIS PROFESSIONAL DESIGN FIRM – LICENSE NO. 184–004840

THOMAS A. MOLLOY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35–3409
(EXPIRES NOVEMBER 30, 2022 AND IS RENEWABLE)

THOMAS A. MOLLOY 35–3409 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS BENSENVILLE, ILLINOIS

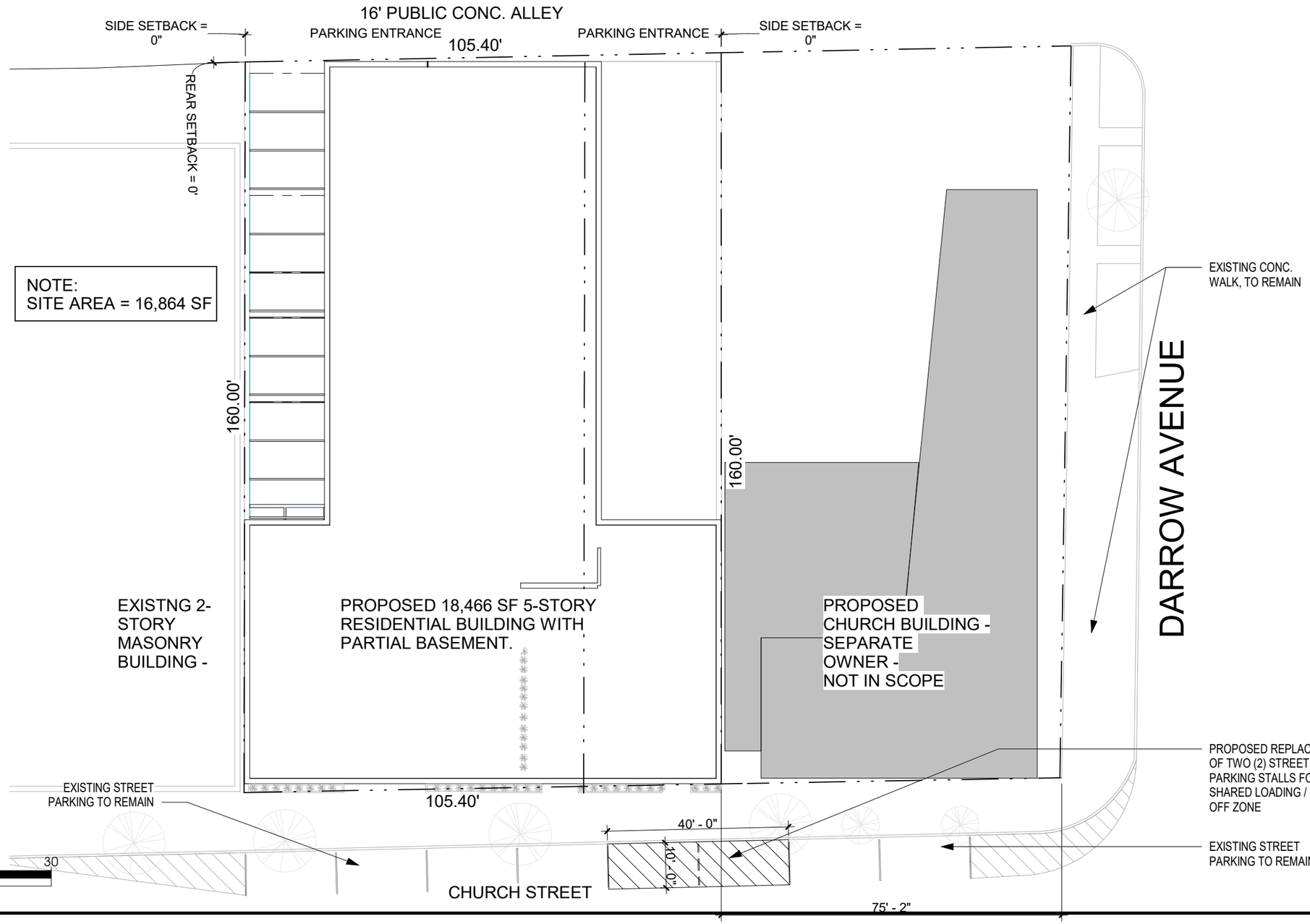
VALID ONLY WITH EMBOSSED SEAL

DRAFTED BY: BJE
PAGE: 1 OF 1
ORDER NO.: 220075
FILE: 13–41–13
PROJECT NO.: 2185TAM

REVISION DATE	ORDER NO.	REVISION
JULY 8, 2022	220075	BOUNDARY SURVEY

CLIENT: HOUSING DEVELOPMENT CORPORATION

Project Site Plan



Housing Opportunity Development Corporation

MT. PISGAH APARTMENTS

1805 - 1815 CHURCH STREET, EVENSTON, ILLINOIS

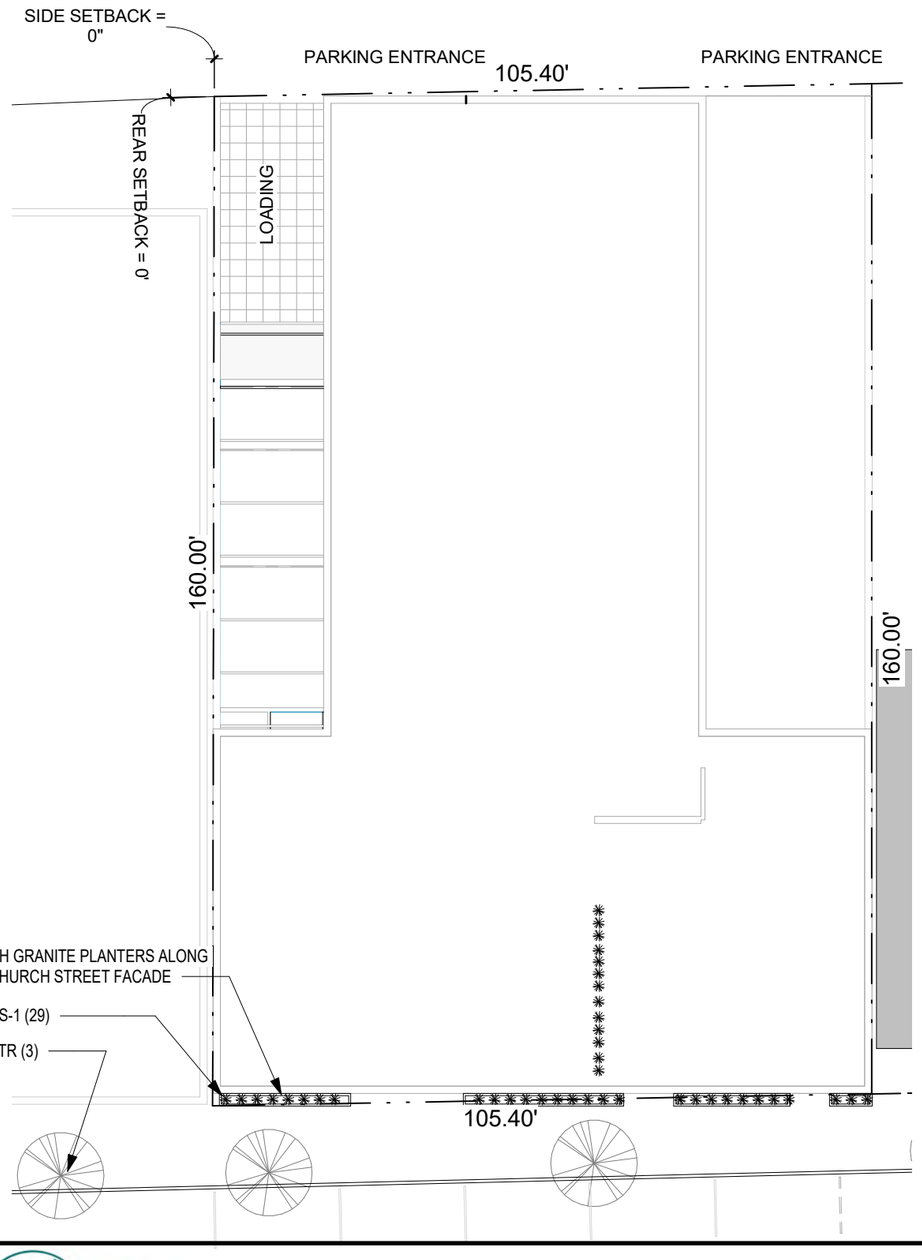
SITE PLAN

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A1.0

02.21.2022

Plan or Graphic Drawings of Proposal



LANDSCAPE DATA TABLE: PLANT LIST

	QTY		SYM	BOTANICAL NAME	COMMON NAME	SIZE
EXISTING PARKWAY TREES	3		ETR	VARIES	VARIES	EXISTING TO REMAIN
TOTAL	**3**					
DECIDUOUS SHRUBS	29		DS-1	HYDRANGEACEAE HYDRANGEA QUECIFOLIA	OAKLEAF HYDRANGEA	
				H. HYDRANGEA ARBORESCENS	ANNABEL HYDRANGEA	
				CORNACEAE CORNUS SERICEA	YELLOW TWIG DOGWOOD	
				ADOXACEAE VIBURNUM CARLESII	KOREAN SPICE VIBURNUM	
TOTAL	**29**					
EVERGREEN SHRUBS			ES-1	TAXACEAE TAXUS MEDIA	HICK'S YEW	
				KALLAY'S COMPACT	KALLAY JUNIPER	
				PINUS MUGO	MUGO PINE	
TOTAL						

N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

MT. PISGAH APARTMENTS

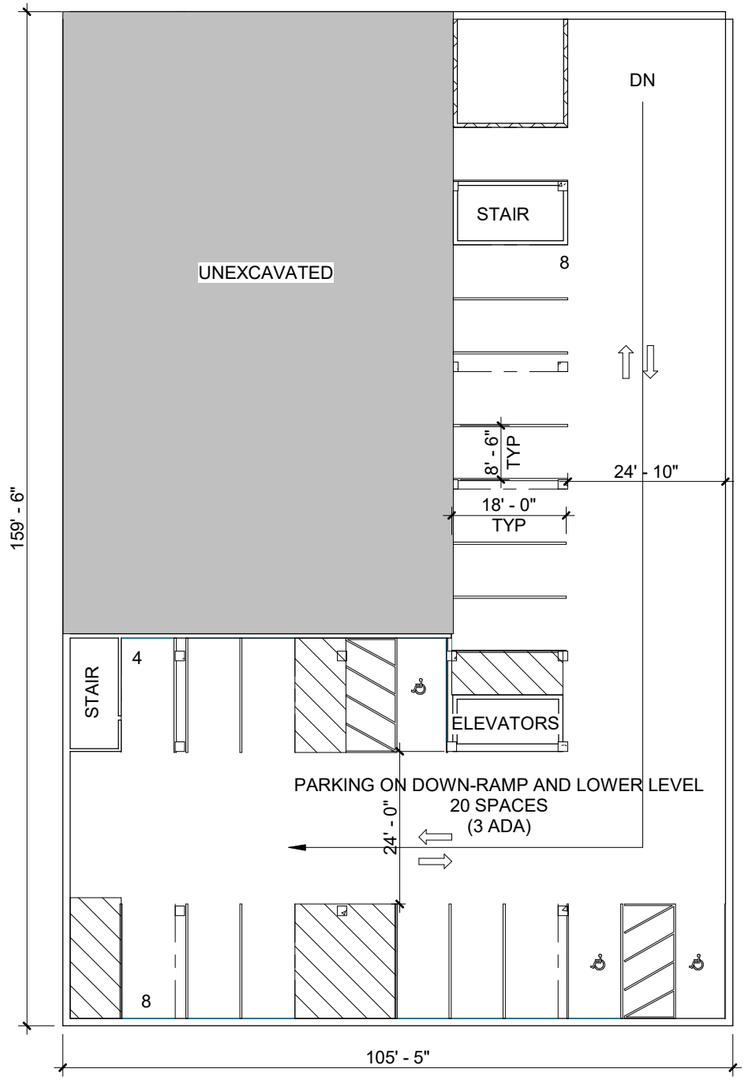
1805 - 1815 CHURCH STREET, EVENSTON, ILLINOIS

LANDSCAPE PLAN

CORDOGAN CLARK
ARCHITECTURE + ENGINEERING + CONSTRUCTION

A1.1

02.21.2022



N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

MT. PISGAH APARTMENTS

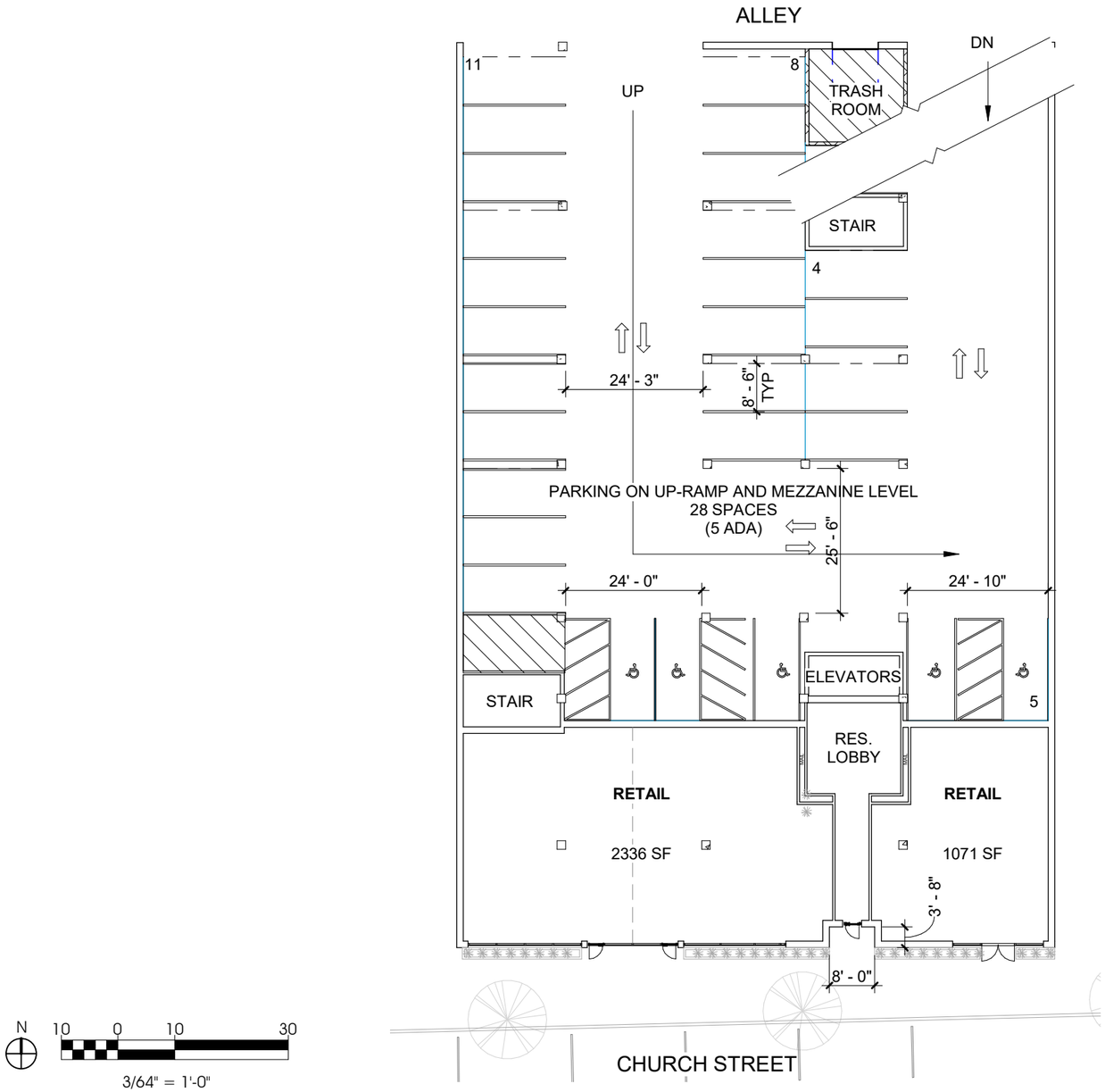
1805 - 1815 CHURCH STREET, EVENSTON, ILLINOIS

LOWER LEVEL PLAN (PARKING)

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A2.0

02.21.2022



N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

MT. PISGAH APARTMENTS

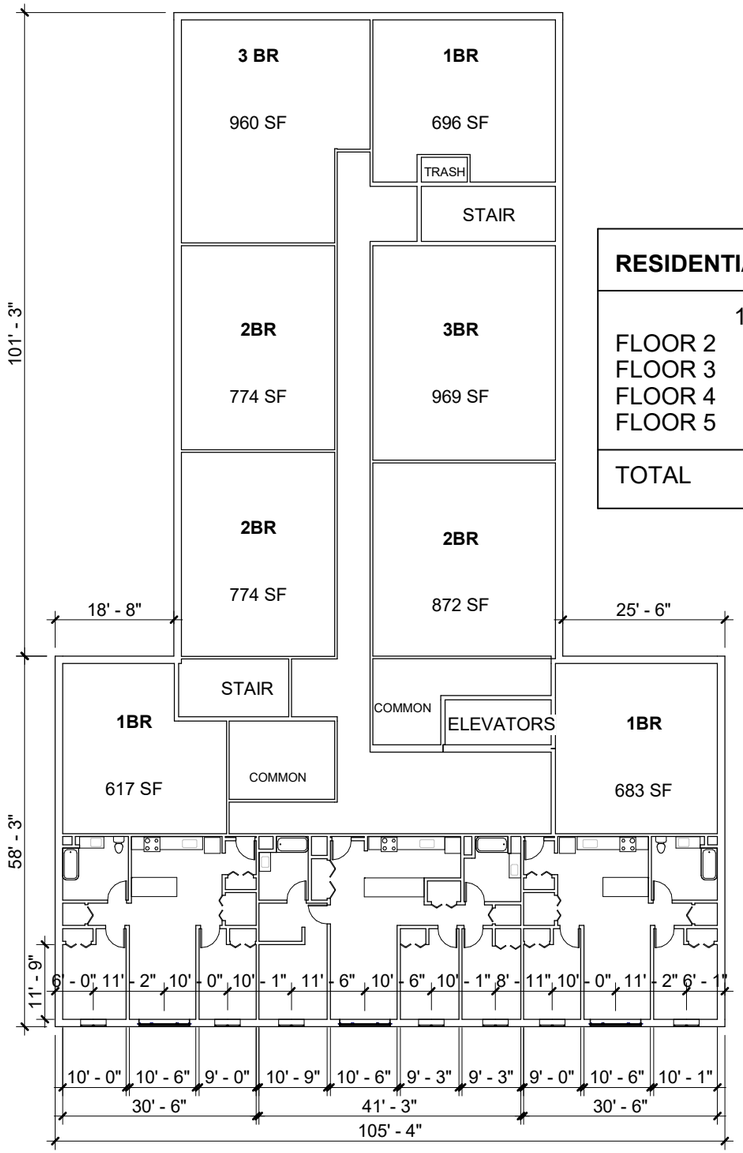
1805 - 1815 CHURCH STREET, EVENSTON, ILLINOIS

1ST FLOOR PLAN (RETAIL AND PARKING)

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A2.1

02.21.2022



RESIDENTIAL UNIT COUNT

	1BRS	2BRS	3BRS	TOTAL
FLOOR 2	3	5	3	11
FLOOR 3	3	5	3	11
FLOOR 4	3	5	3	11
FLOOR 5	3	5	3	11
TOTAL	12	20	12	44

N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

MT. PISGAH APARTMENTS

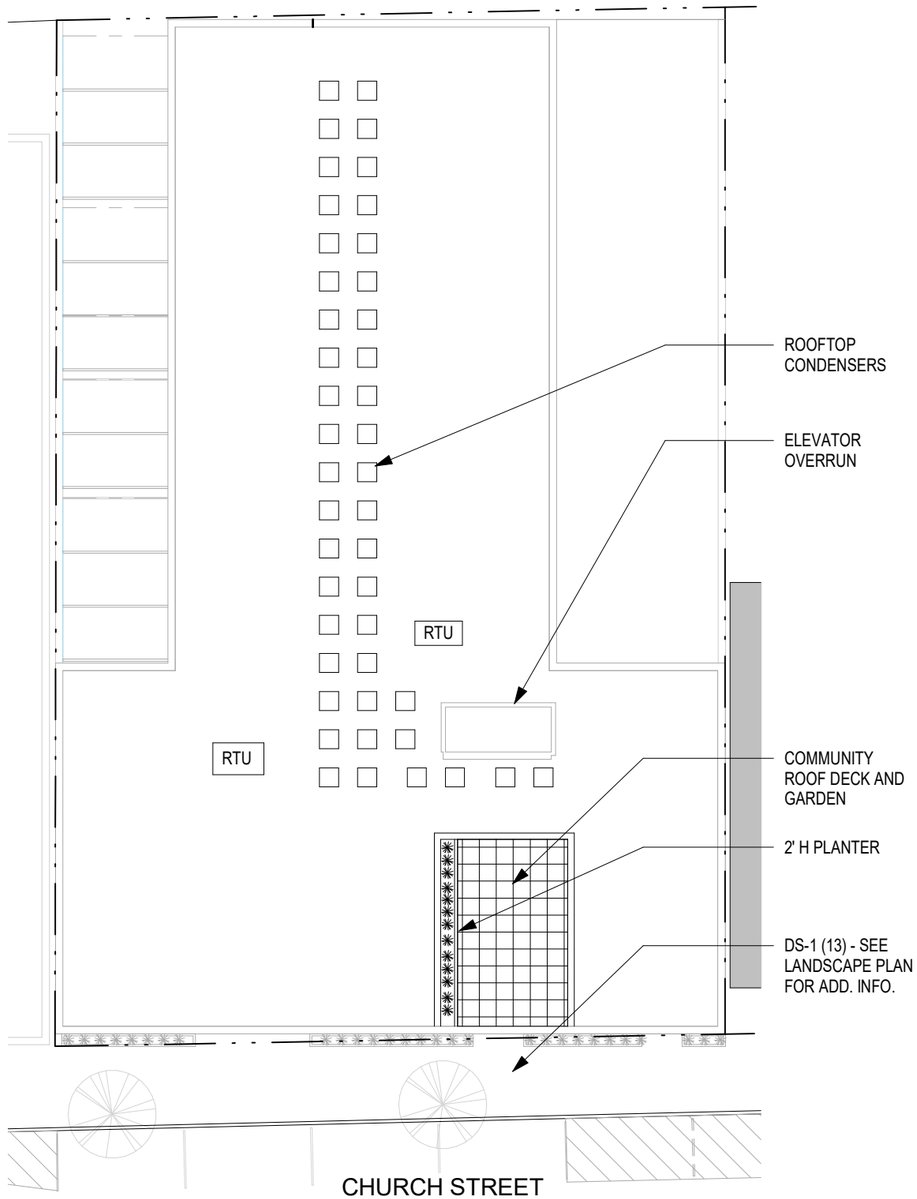
1805 - 1815 CHURCH STREET, EVENSTON, ILLINOIS

TYP RESIDENTIAL FLOOR PLAN (FLOORS 2-5)

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A2.3

02.21.2022



N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

MT. PISGAH APARTMENTS

1805 - 1815 CHURCH STREET, EVENSTON, ILLINOIS

ROOF PLAN

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A2.4

02.21.2022


RETAIL
1811 CHURCH
RETAIL

Proof of Ownership

1811-1815 and 1805 CHURCH STREET DEVELOPMENT AGREEMENT

This **Development Agreement** is made as of June 30, 2021 to articulate the working relationship between Mt. Pisgah Ministry Inc., an Illinois not-for-profit religious organization hereafter referred to as "**MT. PISGAH**" and Housing Opportunity Development Corporation, an Illinois not-for-profit corporation hereafter referred to as "**HODC**" (jointly hereafter referred to as the "**Team**") to develop the properties at 1811-1815 and 1805 Church Street in Evanston, Illinois, hereafter referred to as **the "Sites**". The parties understanding is as follows:

1. **The Project.** The Team will work together to create a new mixed-use project on the Sites to include affordable housing, retail space, parking and **MT. PISGAH's** new house of worship (all hereafter referred to as the "**Master Project**") as defined below.

2. **Project Progression**. In February 2020, the City of Evanston (hereafter referred to as "**COE**") issued a Request for Qualifications to develop the COE-owned vacant lot at 1805 Church Street. In order to develop the **Master Project** it will be necessary to secure zoning approval from the COE as well as financing approvals from various funders. **MT. PISGAH** previously retained an architect who drafted preliminary plans. **HODC** previously prepared plans for affordable housing. The previous alderman for the 5th ward, Robin Rue-Simmons, expressed support for the project. The **COE** City Council has voted to allow **COE** staff to negotiate the transfer of 1805 Church to MT. PISGAH.
    a. As of the date of this Agreement, no plans for **the Master Project** have been finalized and the complete scope of **the Master Project** needs to be determined.
    b. The **Team** submitted individual organization responses and subsequently agreed to partner to develop **the Master Project** and signed a Memorandum of Understanding in December 2020 to pursue site control of 1805 Church Street.
    c. The Team agreed to work with the **COE** to secure site control of 1805 Church Street.
    d. **MT. PISGAH** currently owns the property at 1811-1815 Church Street which will be used with 1805 Church for **the Master Project**.

3. **Project Scope**. **The Master Project** will require securing site control for 1805 Church St from the City of Evanston as well as zoning approval from the City of Evanston. There will be three primary components of **the Master Project**:
    a. A stand-alone house of worship building;
    b. Affordable housing; and
    c. Retail space ("Retail Project").
    d. **MT. PISGAH** and **HODC** will cooperate on all aspects of **the Master Project**. The land at 1805 Church owned by the **COE** which will be transferred to **MT. PISGAH** and the land at 1811-15 owned by **MT. PISGAH** will be combined and included in **the Master Project**.
    e. The **MT. PISGAH** House of Worship (**Worship Project**) will be owned and operated by **MT. PISGAH**.
    f. The affordable housing component (**Housing Project**) will serve low income residents and will be owned and managed by an entity of HODC.

g. **MT. PISGAH** will donate to HODC the land necessary to develop the Housing Project. The Sites will likely need to be re-platted.

4. **Development Roles**: **The Team** will work jointly to develop **the Master Project** including the following:
   a. ***Development Approvals***:
      i. **The Team** will participate actively in the site design process for **the Master Project** and express their roles for each component.
      ii. **MT. PISGAH** will lead efforts to educate and secure community support from neighbors locally and throughout Evanston.
      iii. **HODC** will retain and oversee professionals needed to develop **the Master Project** approved by **MT. PISGAH** including attorneys, architects, engineers, contractors and study consultants.
      iv. **HODC** will perform financial feasibility analyses to estimate Housing Project viability with final approval granted by **MT. PISGAH**.
      v. **HODC** will prepare the PUD application for submission to COE.
      vi. **The Team** will apply to the COE for zoning approvals to develop **the Master Project**.
      vii. **The Team** will attend hearings of the Plan Commission and COE city council meetings for zoning approval.
   b. ***Project Funding***
      i. **MT. PISGAH** will be primarily responsible for securing funds to develop the Worship Project.
      ii. **HODC** will be primarily responsible for securing all available federal, state, County and COE affordable housing and potential private investor funds to develop **the Housing Project**.
      iii. Each party shall be required to provide financial guarantees for their component of **the Master Project**.
   c. ***Management and Operation***:
      i. **MT. PISGAH** will be responsible for operations and management of the Worship Project.
      ii. **HODC** will be responsible for operations and management of the Housing Project upon completion including providing property management.
      iii. **The Team** will determine who is responsible for operations and management of the Retail Project.

5. **Pre-Development Expenses**. All predevelopment costs incurred and related to the Worship Project will be paid by **MT. PISGAH**. All predevelopment costs incurred and related to the Housing Project will be paid by **HODC**.

6. **Confidentiality Agreement**. **The Team** will keep all documents, data, information (whether written, in digital form, or orally conveyed), materials (whether physical or digital), conversations, agreements, and all other information and details related to the Project (collectively "Confidential Information") confidential, meaning it shall never disclose this Confidential Information to a third-party without the other party's consent unless due process is invoked individually by either party of **the Team**, in accordance with

all Federal, State and local laws, with 30 calendar days allowance for either party to respond in writing to each other as required by applicable law.

7. **Termination**. This entire Agreement is contingent on COE releasing 1805 Church Street to **MT. PISGAH**.

This Agreement is executed by the parties as of the date of signatures of both parties.

Mt. Pisgah Ministry Inc.,
an Illinois not-for-profit religious organization

By: _____
Clifford J. Wilson, Senior Pastor

Housing Opportunity Development Corporation,
an Illinois not-for-profit Corporation

By: _____
Richard Koenig, Executive Director

Non-Compliant Zoning Analysis

Zoning Analysis
Summary

1811-1815 Church St.
Revisions 04.21.2022

Case Number:	Case Status/Determination:
22ZONA-0019	Noncompliant 05.25.2022

Proposal:

Demolish existing religious institution and construct 5-story mixed use building with 2 ground floor retail spaces and 44 DUs on upper floors. Enclosed ground floor and underground parking with 47 spaces.

Zoning Section:	Comments:
Review by DAPR & LUC for public comment	Though not a Planned Development per 6-15-15-II-A-1 of the Zoning Ordinance and West Evanston Overlay District, review by DAPR and public comment at the Land Use Commission is required.
Subdivision	As proposed, a new property line is established to make the interior lot larger and corner lot smaller. Both new lot sizes comply with zoning.
6-15-15-IX- A.3	Front yard build to zone of 5-10' is required. 0' front yard setback proposed. Variation required.
6-15-15-IX-A.5	Minimum 5' interior side yard setbacks required. 0' east and west interior side yard setbacks proposed. Variation required.
6-15-15-IX-A.6	Minimum 5' rear yard setback required. 0' rear yard setback proposed. Variation required.
6-15-15-IX-A.7	Maximum impervious surface coverage allowed is 90% plus 5% semi-pervious. 99.7% is proposed. Variation required.
6-15-15-IX-B.1	Maximum building height allowed of 3 stories or 47' for buildings within 100' of Church/Darrow and with a required 8' ziggurat setback for the 3rd floor. Propose 5 stories and 57.8' to the top of the parapet, with a partial ziggurat setback at the 5th floor and above for an area 30' deep by 16' width of street frontage. Variation required.
6-16-5-Table 16-E	One short loading berth required. Proposed shared loading berth on the street for use by Mt. Pisgah and HODC. On-street loading requires approval by the Public Works Agency and does not count as an on-site loading berth per the Zoning Ordinance. Variation required.
6-15-15-XVII-C.5 & 6-15-15-XVII-C.6	Building Materials: "Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible. Concrete masonry units, bricks over three inches in height, and EIFS are not permitted." State how materials meet this requirement, or variation required.

Comments:

- Parking: Not a TOD property; the IHO parking applies: .75 spaces per studio or 1-BR, 1.25 spaces per 2-BR, 1.5 spaces per 3-BR. 20% of units have no parking requirement per the IHO zoning bonus. Assume 11 market rate 1 BR (and 2 IHO), 16 market rate 2 BR (and 4 IHO), and 8 market rate 3 BR (and 3 IHO) to achieve 20% IHO used for zoning bonuses…= 8.25 + 20 + 12 = 40.25 spaces required (no

requirement for IHO units) for residential uses. Retail 3,407 sq ft – 2k exempt = 1,407 / 350 retail requirement = 4.02 spaces required. Total 40.25 + 4.02 = 44.27 = 45 parking spaces required (2 of which must be ADA). 47 parking spaces proposed including 8 ADA spaces. Parking is compliant for this lot.

- Evanston's Green Building Ordinance applies and requires: For all commercial and multifamily buildings ten thousand (10,000) square feet to twenty thousand (20,000) square feet: LEED Silver Rating or higher, or employ eight (8) or more ESBMNC measures from at least five (5) of the ESBMNC categories. Consider a partial green roof to achieve this.
- Clarify first floor roofed vs. unroofed areas and explain storm water control within an unroofed parking garage with walls. There is potential for people to drop things from windows onto parked cars. First floor roof is a good opportunity for amenity space and/or a green roof.

June 22, 2022

Evanston Planning and Zoning Division
Re: 1811-1815 Church St.
2100 Ridge Avenue
Evanston, IL 60201

Case Number: 22ZONA-0019

Dear Ms. Klotz,

Thank you for your zoning analysis for our proposed project at 1811-1815 Church St. Please see below for our responses to your comments, in **bold.**

Zoning Section:	Comments:	**CCA RESPONSES**
Review by DAPR & LUC for public comment	Though not a Planned Development per 6-15-15-II-A-1 of the Zoning Ordinance and West Evanston Overlay District, review by DAPR and public comment at the Land Use Commission is required.	**Noted**
Subdivision	As proposed, a new property line is established to make the interior lot larger and corner lot smaller. Both new lot sizes comply with zoning.	**Noted**
6-15-15-IX- A.3	Front yard build to zone of 5-10' is required. 0' front yard setback proposed. Variation required.	**We will be requesting a zoning variance for the Front Yard Setback**
6-15-15-IX-A.5	Minimum 5' interior side yard setbacks required. 0' east and west interior side yard setbacks proposed. Variation required.	**We will be requesting a zoning variance for the Side Yard Setbacks**
6-15-15-IX-A.6	Minimum 5' rear yard setback required. 0' rear yard setback proposed. Variation required.	**We will be requesting a zoning variance for the Rear Yard Setback**
6-15-15-IX-A.7	Maximum impervious surface coverage allowed is 90% plus 5% semi-pervious. 99.7% is proposed. Variation required.	**We will be requesting a zoning variance for the allowed impervious surface coverage.**
6-15-15-IX-B.1	Maximum building height allowed of 3 stories or 47' for buildings within 100' of Church/Darrow and with a required 8' ziggurat setback for the 3rd floor. Propose 5 stories and 57.8' to the top of the parapet, with a partial ziggurat setback at the 5th floor and above for an area 30' deep by 16' width of street frontage. Variation required.	**We will be requesting a zoning variance for the building height and ziggurat setback requirements. We have instead proposed setting part of the 5th floor back 30' for a balcony / Roof Top Deck space.**
6-16-5-Table 16-E	One short loading berth required. Proposed shared loading berth on the street for use by Mt. Pisgah and HODC. On-street loading requires approval by the Public Works Agency and does not count as an on-site loading berth per the Zoning Ordinance. Variation required.	**We will be requesting a zoning variance for the on-site loading berth and requesting approval from the Public Works Agency to replace two street parking spaces with one shared loading berth.** **A loading berth on the street is the best location since the parking structure in the rear of the building ramps both up and down and will be difficult for a truck to maneuver**

6-15-15-XVII-C.5 & 6-15-15-XVII-C.6	Building Materials: "Facades must be constructed of a durable, natural material. False materials intended to look like other materials shall be avoided, and if used limited to the extent possible. Concrete masonry units, bricks over three inches in height, and EIFS are not permitted." State how materials meet this requirement, or variation required.	**We propose using a combination of actual brick masonry (not thin brick or veneer, and 3" or less in height) and fiber cement panels and siding.** **Brick is an extremely durable material made of clay.** **Fiber cement siding and panels are made from cement and wood fibers to create a strong and durable cladding material that is resistant to rot, warping and fire.**

Comments:

- Parking: Not a TOD property; the IHO parking applies: .75 spaces per studio or 1-BR, 1.25 spaces per 2-BR,1.5 spaces per 3-BR. 20% of units have no parking requirement per the IHO zoning bonus. Assume 11 market rate 1 BR (and 2 IHO), 16 market rate 2 BR (and 4 IHO), and 8 market rate 3 BR (and 3 IHO) to achieve 20% IHO used for zoning bonuses…= 8.25 + 20 + 12 = 40.25 spaces required (no requirement for IHO units) for residential uses. Retail 3,407 sq ft – 2k exempt = 1,407 / 350 retail requirement = 4.02 spaces required. Total 40.25 + 4.02 = 44.27 = 45 parking spaces required (2 of which must be ADA). 47 parking spaces proposed including 8 ADA spaces. Parking is compliant for this lot
    - **CCA RESPONSE: Noted**

- Evanston's Green Building Ordinance applies and requires: For all commercial and multifamily buildings ten thousand (10,000) square feet to twenty thousand (20,000) square feet: LEED Silver Rating or higher, or employ eight (8) or more ESBMNC measures from at least five (5) of the ESBMNC categories. Consider a partial green roof to achieve this.
    - **CCA RESPONSE: We will employ eight (8) or more ESBMNC measures from at least five (5) ESBMNC categories.**

- Clarify first floor roofed vs. unroofed areas and explain storm water control within an unroofed parking garage with walls. There is potential for people to drop things from windows onto parked cars. First floor roof is a good opportunity for amenity space and/or a green roof.
    - **CCA RESPONSE: The site plan and roof plans have been modified to clarify roofed vs unroofed areas. The graphics have also been modified to make more clear that there will not be full height walls flanking the ramped parking at the upper level. Instead, there will be a fence. Trench drains and area drains will be provided in the parking structure, along with an ejector pump if required.**

1811-1815 Church Street, 22ZMJV-0092

Public comments received

City of Evanston

Michael Griffith <mgriffith@cityofevanston.org>

Public Comments and Exhibits for Proposed Development at 1801-1815 Church Street and 1708-1710 Darrow Avenue

1 message

brooke@jacksonllp.com <brooke@jacksonllp.com> Tue, Feb 7, 2023 at 5:36 PM
To: Michael Griffith <mgriffith@cityofevanston.org>
Cc: kashbaugh@cityofevanston.org, mmjones@cityofevanston.org, mklotz@cityofevanston.org

Good Afternoon,

We write with regard to the proposed development at 1801-1815 Church Street and 1708-1710 Darrow Avenue, to submit our public comments as legal stakeholders.

Attached please find:

1. Our public comments, labeled within this email as "20230207 Materials for Land Use Commission (Submission Copy)";
2. Exhibits to our public comments, labeled within this email as "20230207 Exhibits Collated (Submission Copy)"
3. Additional exhibits submitted in electronic form only, labeled within this email as:
   - "Exhibit O – Meeting Minutes 5-22-2006";
   - "Exhibit P – Traffic 1"; "Exhibit P – Traffic 2"; "Exhibit P – Traffic 3";
   - "Exhibit R – Habitat for Humanity Home Ownership Builds Wealth"; and
   - "Exhibit T – IL EPA No Further Remediation Letter."

We request that you forward these as soon as possible to all members of the Land Use Commission to provide each member sufficient time to review all documents prior to the Land Use Commission hearing tomorrow evening, 2/8/2023.

We ask also that you:

1. Confirm receipt of this email and accompanying documents; and
2. Indicate to us when you have submitted our public comments and accompanying documents to the Land Use Commission.

Thank you.

Sincerely yours,

Brooke Devlin-Brown

Brooke L. Devlin-Brown
Attorney
Jackson LLP Healthcare Lawyers

Direct: (847) 440-5028
Email: Brooke@JacksonLLP.com
Web: JacksonLLP.com

Our Offices & Team

CONFIDENTIALITY: The information in this message and any attachments is confidential and may be privileged. If you have received this email in error, please delete it immediately and notify the sender by email.

8 attachments

20230207 Materials for Land Use Commission (Submission Copy).pdf
584K

20230207 Exhibits Collated (Submission Copy).pdf
9375K

Exhibit O - Meeting Minutes 5-22-2006.pdf
218K

Exhibit P - Traffic 1.MOV
2139K

Exhibit P - Traffic 2.MOV
757K

Exhibit P - Traffic 3.MOV
2787K

Exhibit R - Habitat for Humanity Home Ownership Builds Wealth.pdf
2031K

Exhibit T - IL EPA No Further Remediation Letter.pdf
300K

Crosby Theodore LLC | 1817 Church Street, Evanston Ill. 60201

Sent via electronic mail to Meagan Jones and Michael Griffith for distribution to the LUC

City of Evanston Land Use Commission
Matt Rodgers, Chair
2100 Ridge Avenue
Evanston, IL 60201

CC: Michael Griffith, Lead Planner

February 7, 2023

Re: **Legal Stakeholder Objections to Major Variation Requests by Housing Opportunity Development Corporation (HODC), 1801-1815 Church Street, Applications No. 22ZMJV-0092 and No. 22ZMJV-0089**

Dear Chairperson Matt Rogers and Members of the Land Use Commission:

At issue before the City of Evanston Land Use Commission ("LUC") are two distinct projects: one proposed by developer Housing Opportunity Development Commission ("HODC"), an organization which does not own or occupy any of the land parcels at issue, and Mt. Pisgah Ministry, Inc. ("Mt. Pisgah"), the current owner of the land and appurtenant church building occupying 1813 Church Street. While the two proposed projects are distinct in ownership, financing, and current and future land partitioning, the projects have been presented together to the LUC.

Crosby Theodore LLC ("Crosby Theodore," "us," "our," "we") owns the building at 1817 Church Street, the Historic Landmark building in which the American Veterinary Association was born. As owner of this storied and distinct property adjoining the proposed developments at 1801-1815 Church Street and 1708-1710 Darrow Avenue, Crosby Theodore is both a legal stakeholder and a 5th Ward constituent, with significant concerns about the scope and scale of the proposed requested major variations ("Major Variations").

Crosby Theodore's current tenant and sole occupant is an Evanston-based law firm, Jackson LLP, which has made the building its headquarters and home over the past few years. Collectively throughout these documents, the building's owner and occupier are referred to as "our business," us," "our," and "we").

As a threshold matter, we seek to inform the LUC that the public meeting it instructed the Applicants to host prior to the upcoming meeting was never scheduled. This missed opportunity for public discourse on this development is both frustrating and demonstrative of the Applicants' obfuscation and lack of transparency. While Councilmember Bobby Burns initiated a meeting

between one of our owners and Mr. Koenig, that did not provide the benefit of a community and stakeholder discussion of the proposed development. We are stakeholders, but we are not alone in that classification, and one of our principals is an inadequate audience for a "public meeting." Indeed, our precursory examination of a map suggests that the stakeholders to be invited and involved in such a meeting include those in the following list:

Properties Within 500 ft. of the Proposed Construction:

- 1813-1815 Church St.- Mt. Pisgah Ministry
- 1805 Church St. and 1708-10 Darrow Ave- City Owned Lot
- 1817 Church St.- Jackson LLP
- 1819 Church St.- My Smiles Dental Center - Premier
- 1823 Church St.- Gibbs - Morrison Cultural Center
- 1901 Church St.- C&W Market and Ice Cream Parlor
- 1702 Dodge Ave.- Ebony Barber Shop
- 1706 Dodge Ave. Cutting Edge Hair Gallery
- 1903 Church St.- Chicago Wingz Around The World
- 1704 Dodge Ave.- Tom's Beauty Supply
- 1708 Dodge Ave.- Unoccupied Business/Storefront
- 1905 Church St.- Church Street Barber Shop
- 1911 Church St.- Youth & Opportunity United
- 1713 Church St.- Strange Lofts
- 1715 Church St.- VYV-US Corporation
- 1711 Church St.- Evanston Transfer Station
- 1683, 1629, 1633, and 1639 Church St.- Residential Property
- 1806 Church St.-Democratic Party of Evanston
- 1630 Darrow Ave.- Anatomy Warehouse
- 1808 Church St. Gospel Chapel Church Of Evanston
- 1810 Church St.- Residential Property
- 1812 & 1814 Church St.- Residential Property
- 1720 & 1714 Church St.- Advanced Disposal
- 1624-1622 Darrow Ave.- Residential Property
- 1620 Darrow Ave.- Residential Property
- 1618 Darrow Ave.- Residential Property
- 1616 Darrow Ave.- Residential Property
- 1612 Darrow Ave.- Residential Property
- 1610 Darrow Ave.- Residential Property
- 1606 Darrow Ave.- Residential Property
- 1604 Darrow Ave.- Residential Property
- 1623 Dodge Ave.- Parking Lot
- 1621 Dodge Ave.- Residential Property
- 1617 Dodge Ave.- Residential Property
- 1615 Dodge Ave.- Residential Property
- 1611 Dodge Ave.- Residential Property
- 1710 & 1712 Dodge Ave.- Residential Property
- 1716 Dodge Ave.- Residential Property
- 1718 Dodge Ave.- Residential Property
- 1722 Dodge Ave.- Residential Property
- 1726 Dodge Ave.- Residential Property
- 1728 Dodge Ave.- Residential Property
- 1730 Dodge Ave.- Residential Property

- 1709 Dodge Ave.- Residential Property
- 1739 Dodge Ave.- Affordable Building and Remodeling, Inc.
- 1737 Dodge Ave.- Residential Property
- 1731 Dodge Ave.- Residential Property
- 1729 Dodge Ave.- Residential Property
- 1725 Dodge Ave.- Residential Property
- 1719 Dodge Ave.- Residential Property
- 1717 Dodge Ave.- Residential Property
- 1715 Dodge Ave.- Residential Property
- 1711 Dodge Ave.- Residential Property
- 1744 Darrow Ave.- Bethel African Methodist Episcopal Church
- 1738 Darrow Ave.- Residential Property
- 1736 Darrow Ave.- Residential Property
- 1730 Darrow Ave.- Residential Property
- 1728 Darrow Ave.- Residential Property
- 1726 Darrow Ave.- Residential Property
- 1722 Darrow Ave.- Residential Property
- 1720 Darrow Ave.- Residential Property
- 1716 Darrow Ave.- Residential Property
- 1714 Darrow Ave.- Residential Property
- 1717 Darrow Ave.- Residential Property
- 1721 Darrow Ave.- Residential Property
- 1725 Darrow Ave.- Residential Property
- 1729 Darrow Ave.- Residential Property
- 1733 Darrow Ave.- Residential Property
- 1735 Darrow Ave.- Residential Property

Many of these legal stakeholders have been in the community for decades and expressed similar sentiments of surprise and confusion at the LUC's January meeting. Our principal expressed concern after attending the individualized meeting described above, feeling that it was an attempt to identify what *we* want or need to cease our opposition to this project – rather than a collaborative effort that involves the entire community. For example, a suggestion that we might be able to park in the HODC Proposal's parking garage – compensating for our feared loss of parking access – felt as if it neglected the needs and concerns of local residents about the very same issue. She agreed to nothing and expressed discomfort in our discussions afterwards, whereby she expressed that it felt as if Mr. Koenig was trying to determine what he needed to "give" us for us to cease our opposition to his development. It is, in our view, the greater community and the residents of those properties listed above who are deserving of being heard, receiving concessions, and being empowered to impact the outcome of this hearing. We are but one of them.

We respectfully submit the enclosed for the LUC's consideration.

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1. "The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties" 17

2. "The requested Variation is in keeping with the intent of the zoning ordinance" 25

3. "The alleged hardship or practical difficulty is peculiar to the property" 33

4. "The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out" 34

5. "(a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits"..... 37
6. "The alleged difficulty or hardship has not been created by any person having an interest in the property" 42
7. "The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation." 43

B. Major Variation #2: Reduce the required front yard build to zone from 5'-10' to 0'; Reduce the required west and east interior side yard setbacks from 5' to 0'; and Reduce the required rear yard setback from 5' to 0' 44

1. "The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties"; 45
2. "The requested Variation is in keeping with the intent of the zoning ordinance"; 52
3. "The alleged hardship or practical difficulty is peculiar to the property" 55
4. "The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out"..... 55
5. "(a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits";..... 55
6. "The alleged difficulty or hardship has not been created by any person having an interest in the property" 57
7. "The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation." 58

C. Major Variation #3: Increase the maximum permitted impervious surface coverage from 90% + 5% semi-pervious surface area to 99.7% of lot area 58

1. "The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties"; 59
2. "The requested Variation is in keeping with the intent of the zoning ordinance" 61
3. "The alleged hardship or practical difficulty is peculiar to the property" 64
4. "The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out";..... 64
5. "(a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits"..... 64
6. "The alleged difficulty or hardship has not been created by any person having an interest in the property" 65
7. "The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation." 65

D. Major Variation #4: Eliminate the required loading berth. 65

1. "The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties" 65
2. "The requested Variation is in keeping with the intent of the zoning ordinance" 67
3. "The alleged hardship or practical difficulty is peculiar to the property" 67
4. "The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out"..... 68
5. "(a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits

to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits"..... 68

6. "The alleged difficulty or hardship has not been created by any person having an interest in the property"..... 69
7. "The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation"..... 69

Conclusion.....69

Summary

Applicant-developer HODC, and its principal, Richard Koenig ("Mr. Koenig") would have one believe that any objections raised to Applicant's proposal are objections to affordable housing. When asked to provide evidence related to the need for the significant Major Variations requested, Mr. Koenig repeatedly returns to the theme that this is about "affordable housing," without addressing separate significant, relevant considerations.

We submit to the Land Use Commission that Mr. Koenig's repeated redirections to the need for affordable housing entirely miss and fail to address the true considerations at issue *here*: the proposed Major Variations. As neighbors, 5th Ward constituents, and invested citizens of the City of Evanston ("City" or "Evanston"), we wholeheartedly agree that affordable housing is a critical issue that the City must address and prioritize throughout its many neighborhoods. Indeed, in the 2006 words of Mr. Carlis Sutton regarding a smaller but similar HODC proposal for the same plots of land: "The community surrounding Church and Darrow will welcome additional affordable housing projects that fit within the scale and character of the neighborhood….The [HODC Proposal] does not meet this criteria."[1] This remains true today.

However, this is not a policy discussion on the merits and necessities of affordable housing. If it were, we would all come down on the same side. Rather, the issues for consideration by the Land Use Commission are actually the Major Variations proposed by Mr. Koenig's development company, and the appropriateness of the scope and approval or denial of each. We respectfully request, therefore, that the LUC continue to remain laser-focused on the requested Major Variations and whether each such request meets the Standards for Approval under the relevant portions of the Municipal Code.

We assert that the Major Variations sought by the Applicant are inappropriate in scale and scope, especially where it pertains to the requests to substantially increase the height, footprint, and impermeability of the land comprising 1811-1815 Church Street. Such Major Variations fail to meet the Standards for Approval, instead falling far short of each Standard to be considered, for the reasons listed below within the 'Analysis' section of these materials.

1 *See* Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p.14.

Facts

I. Proposed Projects before the LUC and Legal Stakeholder Information

A. Properties at issue

1. Land parcels at issue

The Major Variations at issue concern the following five parcels of land:

- 10-13-220-031-0000
- 10-13-220-032-0000
- 10-13-220-040-0000
- 10-13-220-041-0000
- 10-13-220-035-0000

We hereafter reference these parcels as "Land Parcels" or "Parcels." [2]

2. HODC Proposal

For the parcels proposed to comprise 1811-1815 Church Street, 22ZMJV-0092 (hereafter "HODC Proposal"), the Applicant and Owner information is as follows:

Applicant: Richard Koenig, Executive Director
Housing Opportunity Development Corporation (HODC)
5340 Lincoln Avenue, Skokie, IL 60077

Owners: (1) Mt. Pisgah Ministry, Inc.
1813 Church Street, Evanston, IL 60201

(2) City of Evanston
2100 Ridge Road, Evanston, IL 60201[3]

3. Mt. Pisgah Proposal

For the parcels proposed to comprise 1801-1805 Church Street, (hereafter "Mt. Pisgah Proposal"), the Applicant and Owner information is as follows:

Applicant: Pastor Clifford Wilson
Mt. Pisgah Ministry, Inc.
1813 Church Street, Evanston, IL 60201[4]

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2 *See* Memorandum to Chair and Members of the Land Use Commission, Re: 22ZMJV-0092, Michael Griffith, 1/5/23, p. 2, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000 (hereafter referred to as "HDOC Staff Memorandum of 1/5/23").

3 *Id.*

4 *Id.*.

Owner: City of Evanston
2100 Ridge Road, Evanston, IL 60201

Despite that the two proposals could be bifurcated and presented for approval as separate proposed projects with disparate applicants, financing, and proposed developments, they are presented in essence as a singular application in which the Applicants have claimed that one proposal cannot be considered without the other. The City of Evanston staff brings the proposals forward to the LUC in this same fashion.

B. History of land parcels

The Parcels of land at issue here have previously been the subject a proposed project by developer HODC, which was recommended for denial by the Plan Commission, the decision-making body later replaced by the Land Use Commission (hereafter "2006 Proposal").[5] Despite that the 2006 Proposal proposed a less dense, shorter, multi-family residential building, the Plan Commission recommended that City Council deny the affordable housing planned development. Specifically, the 2006 Proposal proposed 27 affordable housing units with 30 off-street parking spaces, and a proposed height of 4 stories.[6]

In relevant additional information, the Plan Commission discussed and considered the 2006 Proposal over a series of five meetings, providing significantly more time for consideration than the larger-scale project currently before the LUC.[7] Constituents and community representatives then opposed to the project requested that HODC "reduce the size of the building so it does not dominate the residential neighborhood."[8]

Carlis Sutton is a long-time 5th Ward constituent, and a former 5th Ward Alderman Candidate, Reparations Committee Member, and President of the Community Alliance Organization which led the opposition to the 2006 HODC Proposal ("Mr. Sutton").[9] His objections to the 2006 Proposal are even more relevant today, as the HODC Proposal before the current LUC is substantially larger is scale, scope, and sought-after Major Variations. We accordingly refer to Mr. Sutton's arguments within our own below.

C. Zoning of properties at issue

Both the HODC Proposal and the Mt. Pisgah Proposal are within a B2 Business District, and the oWE West Evanston Overlay District.[10] More specifically, the land falls within the WE7

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5 *See* Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p.1-2 (Noting Items for Consideration as Planned Development for 1708-10 Darrow Avenue/1805 Church Street).

6 *Id.*

7 *See id.* (note however, that then-Alderperson Holmes described six, rather than five, such meetings; p. 4).

8 *Id.* at p. 14.

9 See Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p.15 *et seq.*

10 Zoning Map, City of Evanston, *located at*:

Subdistrict of the oWE West Evanston Overlay District. To the north and south lay R4 General Residential Districts.

D. Our legal interest in the HODC and Mt. Pisgah proposals

Crosby Theodore LLC owns the property at 1817 Church Street, which directly adjoins the existing Mt. Pisgah Ministry building.[11] Its tenant is a locally and family-owned small business, which actively prioritizes the hiring of other Evanston residents and incentivizes employees to relocate near the office. As the owners and occupiers of an adjoining property, and one well within 500 feet of the proposed projects, Crosby Theodore LLC and Jackson LLP each have a legal interest in the HODC and Mt. Pisgah Proposals, and we raise our concerns together.

E. We are involved and invested members of the 5th Ward community and the City of Evanston

Jackson LLP's operations are nationally headquartered at the Church Street building in Evanston, Illinois. Established as a Historic Landmark by the City of Evanston more than a quarter-century ago, the firm chose to make its home within the Church Street building due to its storied and significant history, congruence with the business's values and ethos, and close proximity to many employees' homes.

Additionally, over the course of just the last year, we have spent significant time, resources, and assets to carry out a full renovation of our offices in a manner that both respects and reflects the historic nature of the building, while also harnessing "green" environmentally friendly design techniques to maximize energy efficiency and conserve resources. The newly-renovated offices can comfortably accommodate 30 employees, feature two kitchens, collaborative spaces for working, and even a lactation room. Outdoors, we maintain a large, landscaped courtyard in which we often work and hold community and team-building events. Within the courtyard, and at the initiative of our ETHS student fellow, we have constructed raised-bed gardens in which we grow greens and other vegetables for the sole purpose of donating to Evanston community fridges.

The courtyard's additional purpose is to maintain a maximized amount of permeable surface area to facilitate environmentally friendly building practices, drainage, and stormwater management. The "patio" of the courtyard was constructed, by the previous owner, using bricks repurposed from renovations, honoring the historic nature of the building, the values of reuse and sustainable building practices, and the goal of maximizing permeable spaces. Our raised garden beds were intentionally built atop some of the only impermeable surfaces within the courtyard to add to the total permeable square footage.

Despite our many attempts to facilitate stormwater management through our plantings, permeable surface areas, and raised garden beds, the 1817 Church building has sustained significant flooding over the past few years. Within the building courtyard, we maintain an ADA-accessible ramp, which leads into our first-floor accessible restrooms, offices, meeting space, and kitchen. Due to the building's Historic Landmark designation and the associated constraints on

11 *See* Certificate of Good Standing for Crosby Theodore LLC, attached as Exhibit Q.

modifications, no alternative ADA-accessible entry is possible. The ramp slopes from a higher grade at the property's rear alley-entrance, to a lower grade at the building's rear first-floor door. There is no reasonable alternative for the grading of the ramp absent digging out the entire rear courtyard. The result is that stormwater flows easily and consistently down the ADA ramp, directly into the first floor of the building where employees work. We must regularly implement the use of sandbags and other physical barriers to block the inflow of water through our back door. As a result, the previous wood floors experienced significant swelling, warping, and elevating, causing trip hazards, interfering with employee foot traffic, and preventing office doors from being able to function. As part of our renovations this past year, we replaced the warped and damaged wood on the ground floor.

Additionally, as part of our extensive renovations, we retained an architect to design the building's second floor to maximize energy efficiency by in part incorporating as much natural light as feasible, to minimize electricity use in the form of both heat and lighting. The east and west sides of the building lack windows of any kind. The building's Historic Landmark designation and our concern for the building's structural integrity necessitate that these east and west walls remain fully intact. As such, the renovations took advantage of existing skylights and entirely redesigned the second floor around those skylights. The effect is that all of our offices on the second floor have a source of natural light. This was a costly and integral part of the recent renovations.

The building's third floor features a residential apartment, which is being prepared for long-term/yearly rental. This apartment will be ready for residential lease imminently. Over the past few years, it has been used intermittently as temporary housing for members of the firm. It features a rooftop deck that is used by employees as an additional outdoor workspace, but we anticipate it will be used primarily by the apartment's future tenant(s).

In additional plans, we have for several years been working to create an innovative design for our rear parking pad area.[12] We intend to construct a garage or semi-enclosed carport on our rear parking pad, above which we plan to build several affordable housing dwelling units, topped with a "green roof," in which greenery and gardens are installed underneath solar panels. More specifically, the garage would be topped with one to two stories of affordable housing units, with floor-to-ceiling windows throughout, to ensure that the building's courtyard light is minimally impacted. The new structure would be stylistically congruent with the existing building, would leave the property's green space unimpacted, and if permitted by the City, would house one outdoor parking spot with an electric car charger.

The affordable dwelling units would be powered in large part by the solar panels slated to be placed on the new structure's roof, and additional power from solar panels would power the main 1817 Church building. Overflow would be returned to the power grid. As our extensive interior renovations were only recently completed, we have been working to rebuild our reserves prior to

12 See Exhibit A and B, including written attestation by Jackson LLP Managing Partners of the intended project.

embarking on our next building project. We intend to move forward with the instant plans as soon as financially feasible – in late 2023 or early 2024.

Analysis

II. Major Variations Requested

The Applicants have requested that the Land Use Commission consider a total of fourteen Major Variations, comprised as follows:

- Mt. Pisgah Proposal (parcels of land at 1801-1805 Church Street): 7 Major Variations
- HODC Proposal (parcels of land at 1811-1815 Church Street): 7 Major Variations.

A. HODC Proposal

While zoning requirements[13] cap height limits at three stories, or 47 feet, within the oWE West Evanston Overlay District, the HODC Proposal depicts a five-story building consisting of 44 residential dwelling units and ground-floor retail units.[14] Additionally in contravention of City Zoning Ordinances, the HODC Proposal intends a zero-foot setback on each of the building's four sides, and an increase of impervious surfaces to almost 100% – well outside the permissible limit. The HODC Proposal omits the required loading dock, and it seeks to instead remove two heavily-utilized on-street parking spots, replacing them with an on-street loading/drop-off zone.

The HODC-requested Major Variations are:

1) Increase the maximum permitted building height from 3 stories and 47' to 5 stories and 57.7';
2) Reduce the required front yard build to zone from 5'-10' to 0';
3) Reduce the required west and east interior side yard setbacks from 5' to 0';
4) Reduce the required rear yard setback from 5' to 0';
5) Increase the maximum permitted impervious surface coverage from 90% + 5% semi-pervious surface area to 99.7% of lot area;
6) Eliminate the required loading berth; and
7) Eliminate the required 8' ziggurat setback at the 3rd story.[15]

B. Mt. Pisgah Proposal

Because of the time constraints imposed upon our evaluation of this large-scale project, we do not address the Mt. Pisgah Proposal within these materials, but include them for the sake of thoroughness, since the two projects are being considered together by the Land Use Commission.

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13 We note that the zoning requirements referenced here are imposed in part due to the property's location within the B2 Business District and in part due to the property's location within the oWE West Evanston Overlay District (*see, e.g.* Staff Memorandum of 1/5/23, at p. 10).

14 HDOC Staff Memorandum of 1/5/23, at p.3, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

15 HDOC Staff Memorandum of 1/5/23, at p.1, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000

The Mt. Pisgah-requested Major Variations are:

(1) Increase the building height from 2 stories or 30' to 3 stories at 44.0' to parapet;
(2) Reduce required front yard build to zone from 5'-25' to 0' at upper floors;
(3) Reduce required west interior side yard setback from 5' to 0';
(4) Increase impervious surface coverage from 60% + 20% semi-pervious surface material to 90.3%;
(5) Provide occupied space behind building parapet cap type where occupied space is not permitted;
(6) Eliminate the required building stoop base type and provide a storefront base type instead;
(7) Eliminate the required 3'-4' tall steel or PVC picket fence around the parking area, in order to construct a 3-story building for a religious institution with both on-site and leased off-site parking in the B2 Business and oWE West Evanston Overlay Districts.

III. Relief Sought

As a legal stakeholder, we request that the Major Variations listed below within these submitted materials be Recommended for Denial to the City Council for failing to meet each of the seven Standards for Approval, per each of our arguments below. While we also have significant concerns and objections regarding the Major Variations *not* mentioned below, we were unable to prepare the full scope of our hoped-for response in just the one month since the last LUC meeting convened on this matter. However, we are happy to supplement this response if LUC would like us to do so.

A. Legal Standards

1. Procedure for Major Variation requests

An applicant for any project to include proposed Major Variations must include a "complete submission," beginning with initial submissions to the Community Development Department for review by City staff, and consisting of a complete application with all necessary supporting documents and requests for all "zoning relief needed to allow the proposal[,] so that the case may be heard as a whole and in its entirety."[16]

Anyone with a legal interest in the subject property, meaning those within 500 feet of a property requesting Major Variations, may present and submit evidence related to the proposed project to the Land Use Commission.[17] Our property adjoins the Parcels on which HODC proposes its development and accordingly may submit evidence in this case.

16 Land Use Commission Rules and Procedures, City of Evanston, Art. IV, Sec. 2.
17 Land Use Commission Rules and Procedures, City of Evanston, Art. VII, Sec. 2.

2. Standards for fact-finding by the Land Use Commission

Where land falls within both a B2 Business District and an oWE Overlay District, oWE Overlay District regulations control proposed development and redevelopment.[18] The oWE West Overlay District is governed by Municipal Code 6-3-8.

For the LUC to recommend any one Major Variation, it must evaluate a series of seven standards for approval (hereafter, "Standards" or "Standards for Approval").[19] In this case, accordingly, the LUC must employ the series of Standards as it relates to each of the seven requested Major Variations and make a finding of fact related to each.[20] In deliberating and making its findings of fact, the LUC must consider and base its findings upon: (i) testimony presented; (ii) evidence presented; (iii) the LUC's knowledge of the community; and (iv) recommendations by City staff.[21]

Upon making a finding of fact related to each Major Variation request, the LUC makes one of three recommendations to City Council for: (1) Approval of the Major Variation; (2) Approval of the Major Variation with Conditions; or (3) Denial of the Major Variation, for City Council's consideration.[22]

B. Standards for Approval of Major Variations

For each Major Variation, the LUC must find and determine:

> (1) the requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties;
>
> (2) the requested variation is in keeping with the intent of the zoning ordinance;
>
> (3) the alleged hardship or practical difficulty is peculiar to the property;
>
> (4) the property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out;
>
> (5)(a) the purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract

18 HDOC Staff Memorandum of 1/5/23, at p.4, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

19 Municipal Code Section 6-3-8-12E.

20 Municipal Code Section 6-3-8-12E; Municipal Code Section 6-3-8-2.

21 Land Use Commission Rules and Procedures, City of Evanston, Article VII, Section 7, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/69573/637774143150370000.

22 *Id.* (where City Council "may impose specific conditions and limitations upon the granting of a variation as are necessary to achieve the purposes and objectives of th[e] Ordinance. Such conditions and limitations may include, but are not limited to, those concerning use, construction, character location, landscaping, screening and other matters relating to the purposes and objectives of this Ordinance and shall be expressly set forth in the decision granting the variation") (Municipal Code 6-3-8-14).)

additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits;

(6) the alleged difficulty or hardship has not been created by any person having an interest in the property; and

(7) the requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation.[23]

In weighing the public benefits ("Public Benefits") under Standard (5) of Section 6-3-8-12E of the Municipal Code, the LUC must consider and make a finding that – as a whole – each Major Variation requested will result in the following listed Public Benefits to the surrounding neighborhood and City:

(A) preservation and enhancement of desirable site characteristics and open space;

(B) a pattern of development which preserves natural vegetation, topographic and geologic features;

(C) preservation and enhancement of historic and natural resources that significantly contribute to the character of the City;

(D) use of design, landscape, or architectural features to create a pleasing environment or other special development features;

(E) provision of a variety of housing types in accordance with the City's housing goals;

(F) elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;

(G) business, commercial, and manufacturing development to enhance the local economy and strengthen the tax base;

(H) the efficient use of the land resulting in more economic networks of utilities, streets, schools, public grounds, buildings, and other facilities; or

(I) the substantial incorporation of generally recognized sustainable design practices and/or building materials to promote energy conservation and improve environmental quality, such as level silver or higher LEED (leadership in energy and environmental design) certification.[24]

23 Municipal Code Section 6-3-8-12(E).
24 Municipal Code Section 6-3-6-3.

IV. Arguments

Below we list the HODC Proposal's requested Major Variations and apply the Standards for Approval as they appear in the Ordinance and as each relates to the specific request.

A. Major Variation #1: Increase the maximum permitted building height from 3 stories and 47' to 5 stories and 57.7'.

HODC proposes a structure that is two stories above the height permitted within the oWE Overlay District Zoning Code. Such a monolithic structure will have far-reaching and significant ramifications related not only to our use and enjoyment of our property and our property value, but to the density, fabric, character, and nature of the neighborhood as a whole.

1. <u>"The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties"</u>

In order to meet the first Standard for Approval, the requested two-story height increase must not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties. It is clear that such a marked height Variation will indeed deeply and substantially adversely impact the adjoining property at 1817 Church Street.

a. The HODC Proposal's extreme building height will block natural light and cause a substantial adverse impact on property value and use and enjoyment of our property.

As an initial matter, the height of the proposed HODC building will substantially adversely impact our building's property value, by reducing light, increasing noise, rendering the rental apartment on the third floor of the building temporarily uninhabitable, and by restricting our ability to further develop the property we already own. In the words of former Alderman Bernstein regarding HODC's smaller-scale 2006 iteration of the instant proposal: "I think this project proposes to overbuild the lot no matter what's in it…It leaves no, no space of anything. No breathing space on the lot whatsoever."[25]

i. The majority of natural light that reaches our second floor is provided via skylights, which were the focal point around which our recent renovations, completed in late 2022, were designed.

First, a two-story height increase beyond what is allowed by the Zoning Code will greatly reduce our workforce's access to natural light, creating a direct adverse impact on the building's property value. While we understand from the LUC's statements on January 11, 2023 that "no one owns light or air," the issue of light impact in this case differs distinctly from standard arguments on the topic.

As discussed within the 'Facts' Section of this document, we recently completed a second-floor gut renovation. In doing so, our architect worked thoughtfully within the confines of a Historic building without west- or east-facing windows, to design renovations that draw in natural light

25 Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p.55.

through all available means to minimize electricity usage.[26] The architect incorporated existing skylights throughout the second floor into more than ten different workspaces, as well as introduced transom windows on interior walls and glass partitions between offices, to pull in the fullest amount possible of natural light while distributing it as far as feasible within the floor. Indeed, our second-floor employees attest that they rarely use interior lights to light their offices, and that their offices remain much warmer in cold months, due in whole to the effect of the natural sunlight shining in from above. Those who have been working on the second floor post-renovation report being happier working with such exposure to natural light. This is not surprising and is borne out in studies on the topic, some of which have said that 72.0% to 85.8% of employees report an improvement in their health when exposed to daylight in their workspace. Further, about 84% to 88.6% of employees reported being happier in their workspace, and substantial majorities of those surveyed also reported that it improved their productivity, gave them more energy, improved the quality of their work, improved their visual comfort, and decreased headaches and eyestrain.[27] Our employees – Evanston residents who work for an Evanston family-owned small business – are benefitting considerably from a work environment that has invested in promoting and supporting their health and well-being. HODC is poised to directly jeopardize that.

As described above, the 1817 Church Street building lacks windows on the primary portion of both the west and east sides. In keeping with the character of the building as a Historic Landmark, and to ensure continued structural integrity over time, we had to inventively harness natural light, the cost of which was quite high. Our skylights are therefore critically important – both as environmentally-friendly solutions to electricity use, and as the *only* source of natural light in the majority of the building's second floor offices. The raising of a building next door that is two stories higher than permitted (and two to three stories higher than any other buildings within the area), will directly impact the natural light received throughout the newly-renovated second floor. Had we been aware of the HODC Proposal, the entire renovation would have been re-thought and re-considered, and the possibility of windows on the east and west sides would have been further evaluated. Instead, just as our renovation project has concluded, we have learned that our designs to harness natural light will soon be nullified by a development that will dwarf our building.

While the property value of 1817 Church increased after its renovation, due much in part to its efficient and light-filled design that maximized usable office space, a building of the proposed height at the edge of our east property line will directly impact its property value. The height of the development will plunge our building back into darkness and patterns of high energy use.

In designing its renovations, we relied on the relevant Zoning Code, with the understanding that no potential building on the block would rise to a height of more than three stories. We understood

26 *See* Exhibit M, evidencing skylight design and usage of natural light.

27 Hedge, A. and Nou, D., Cornell University, *Worker Reactions to Electrochromic and Low e Glass Office Windows*, Ergonomics International Journal, Vol. 2, Issue 4 (2018), available at https://medwinpublishers.com/EOIJ/EOIJ16000166.pdf.

that no potential building could block our new design that focused so heavily on maximizing natural light. Indeed, should the height-related Major Variation be approved by the LUC, we will have relied to our great detriment on the relevant Zoning Code, and the City's upholding of the Code's standards, and will ultimately suffer the financial consequences of doing so.

ii. Our plan to install solar panels will be frustrated by a five-story building immediately adjoining our property.

As described earlier within these materials, we have been actively working to finalize plans to build an accessory structure on our property's rear parking pad, on top of which are to be placed affordable dwelling units topped by solar panels.[28] The extreme Variation request by HODC here will directly impact our ability to build such a structure, and will certainly have a direct impact on the ability to utilize solar panels as part of any environmentally-conscious design.

As currently envisioned, the solar panels at issue would power the affordable dwelling units and an electric car charging station (to help incentivize employees to transition to greener vehicles), as well as the main 1817 Church building. Excess solar power would be returned to the grid. However, the height of the adjoining HDOC-proposed building will frustrate our ability to use and enjoy our own property and will inhibit our ability to increase our property value through further development.

The garage/dwelling structure is additionally intended to incorporate floor-to-ceiling glass walls to ensure residents enjoy natural light while residing there, and to allow natural light to continue to reach our courtyard. The Major Variation in height will nullify our efforts in this regard.

iii. Our enjoyment of its extensive courtyard space will be diminished by the construction of an adjacent five-story building.

The courtyard will be another casualty of greatly reduced natural light if this Major Variation is recommended. We use the courtyard space to work, hold team-building and community events, and to incorporate plantings and an extensive vegetable garden to both absorb stormwater drainage, add to the greenscape of the area for environmental, water management, and aesthetic reasons, and to grow and donate fresh, local produce to community residents in need through the community fridge program.[29] This Major Variance would frustrate our ability to harness light in the courtyard for any of these purposes, again inhibiting our use and enjoyment of our property.

iv. The residential rental unit on 1817 Church's third floor will be a less viable rental, further affecting the building's property value.

The third floor of our building consists of a residential apartment that we intend to ready for rental in the coming year.[30] Not only will the construction itself of a five-story building mere feet from the apartment windows deter potential renters due to construction noise, vibration, and the release of hazardous dust from an environmental remediation site; the resulting 5-story building will

28 *See* Exhibit A (with general garage and dwelling models).
29 *See* Exhibit J (incorporating photographs of Firm courtyard).
30 *See* Exhibit H.

reduce the apartment's internal natural light from above and from the sides, will increase noise at all hours of the day due to the property's proximity when combined with height, and will remove any semblance of privacy. Not only will these factors decrease the general habitability and desirability of the apartment as a rental property; it will also reduce the property value of the building by devaluing the apartment itself.

The same is true for the dwelling units that we intend to construct in an accessory structure on our existing parking pad. The impact of a five-story building on units intended to promote green living through floor-to-ceiling windows – envisioned to promote the flow of fresh air as the weather permits – and topped by gardens and solar panels is unquestionably negative and detrimental.

b. The proposed height of the HODC building will generate noise that will substantially adversely impact our property value, and our use and enjoyment of our property.

i. The chosen building materials are malabsorptive.

The proposed height variation will result in a marked increase in noise through malabsorptive materials that reach to 57' and reflect sound onto and into adjacent properties. The presence of a five-story building immediately adjoining ours will increase ambient sounds and noises.

HODC proposes the following exterior building materials: vinyl windows; fiber cement lap and panel siding; aluminum storefront system; and brick.[31] While such materials incorporate those required by environmental standards, and we do not object to the materials in and of themselves for this reason, the use of such materials as part of the two proposed additional stories in the instant Variation will pose problems with noise for neighbors, especially those whose property directly adjoins the development.

ii. Our indoor workspaces will lose some of their unique benefits because of the significant increase in noise that will result from HODC's building height.

We chose this building as our home because of its unique characteristics and combination of both indoor and outdoor space. It offers opportunities to "bring the outdoors inside" through its large windows, rear exterior stairwell, rooftop deck, and extensive courtyard. We *specifically* sought out a workplace that would advance our business's ethos of work-life balance, sustainability, appreciation of the outdoors, and the promotion of employee wellness.

We have multiple workstations that utilize the building's north-facing windows for natural light, and we replaced missing window screens as part of our renovation. This has allowed us to work with those north-facing windows open, and it has helped to promote a healthy work environment where fresh air is circulating. The opportunity to work beside an open window is, indeed,

31 Memorandum of 1/5/23, at p.6, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000

something that our employees have attested to be a rarity and a productivity, health- and mood-enhancing benefit. Studies have borne out the veracity of these experiences.[32]

We are further working towards the rehabilitation or replacement of the building's south-facing windows. This process is more complex because of their historic significance. Once finalized and approved, however, our plans include screens in all south-facing windows so we can enjoy the similar benefits of fresh air on that side of our building.

iii. The building height will create significant noise in our building courtyard that will be detrimental to our enjoyment of our outdoor spaces.

The height Variation with the listed non-absorptive materials will be further problematic for our use and enjoyment of its outdoor property, as noise will be reflected directly into our courtyard. Should that be coupled with a lack of light, leading to the death of the current courtyard greenscaping, noise will become even more problematic as sound-absorbing plants will no longer exist to mitigate echoing.

The increased density and the alley-facing entrance/exit to the subterranean parking garage will dramatically increase vehicle traffic in the alley behind the Land Parcels and our office. The noise of constant vehicles will echo off the new HDOC building at increased levels due to additional sound-reflective surface area, and will settle and reverberate within our rear courtyard. This will create an inhospitable environment for working, gathering, meditating, and gardening.

iv. Until they are replaced or refurbished, most of the 1817 Church building's historically significant south-facing windows are nearly a century old and do not provide adequate noise insulation.

Our building's south-facing windows cannot be replaced without significant work, time, and expense. Windows in Historically designated buildings must be approved for replacement by the City's Historic Preservation Committee, and doing so is a lengthy, involved, and expensive process. While we have procured multiple bids over the past year for this project, and have been in contact with the Historic Preservation Committee about the requirements, we have been seeking additional information about window *preservation* rather than the easier and faster route of window *replacement*. The result is that any original windows in our building are thin, fragile, and do little to keep out noise or the elements. There are loose window components both inside and outside of our building. The building's previous occupants stuffed gaps around the windows with discarded mail, and we have attempted to caulk and seal those gaps. A five-story building at the property line of the two properties will reflect sound directly into our business's interior, resulting in a distracting work environment where our common activities -- calls with clients, meetings, and recording educational videos -- will become problematic or impossible.

32 Allen, Joseph G.,et al., *Associations of Cognitive Function Scores with Carbon Dioxide, Ventilation, and Volatile Organic Compound Exposures in Office Workers: A Controlled Exposure Study of Green and Conventional Office Environments,* Environmental Health Perspectives 124 (6): 805-812 (2015), *available at* http://nrs.harvard.edu/urn-3:HUL.InstRepos:27662232.

c. Construction of a development two stories beyond Code allowances will very likely affect the integrity of our Historic Landmark building.

Our building is a City of Evanston designated Historic Landmark, and accordingly is limited by the confines of its historic designation in reconstruction and renovation. The construction of a development that involves excavation of a subterranean parking garage, atop which will be placed five full stories (and which extends to the property line itself), will likely cause issues of subsidence for our Historic building. Post-construction, as the building settles, subsidence can begin or worsen, even if not already begun during construction. We anticipate structural issues resulting from the weight and height of the proposed development, and objects to the Major height Variation accordingly.

d. The increased density from such significant height variations will reduce our property value, and use and enjoyment of the property in the form of increased traffic; insufficient parking; alley noise, safety, and traffic; and pedestrian and bike safety issues.

i. The placement of a development that is two stories beyond the permissible height in the area will result in an irreversible increase in traffic and congestion. The degree to which traffic congestion exists – and will be exacerbated by the building's size and height – is significantly understated in the HODC Proposal documents.

HODC included among their documents a traffic study performed by Kimley-Horn and Associates, Inc. ("Kimley-Horn") indicating that the Church Street and Dodge Avenue intersection functions at Level of Service C or better.[33] We respectfully disagree with Kimley-Horn's conclusion.

First, while the traffic study was conducted in January of 2022, it is unclear whether it was carried out when Evanston Township High School ("ETHS") was in session or during the school's winter break. City staff could not confirm this either. As Evanston residents who commute daily through the Dodge corridor along the ETHS campus, we regularly spend 15 to 20 minutes waiting to pass through the two blocks on Dodge between Lake Street and Church Street. While this remarkable delay is most often due to traffic at the school day's beginning, senior lunchtime, and end times, the thoroughfare remains remarkably congested at other times of day as well. Delays are due to student bus drop-offs, pedestrian and bike traffic (related to ETHS students and otherwise), and the fact that Dodge Avenue serves as a critical corridor for moving between south and north Evanston.[34] Exiting the Y.O.U. parking lot to drive west on Church Street requires crossing the bike lane on the south side of Church Street, and navigating the westbound traffic on Church Street for an opportunity to enter the westbound flow can require a driver to wait through multiple rounds of the Dodge/Church light turning. It is similarly difficult to turn left (to drive east) from Darrow onto Church, or to exit the alley that runs parallel to Church Street onto Dodge during

33 Memorandum of 1/5/23, at p.9, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

34 *See also* Exhibit F (showing average weekday traffic on Church Street, east of the Dodge/Church intersection).

periods of congestion. While perhaps anecdotal, we walk and drive these routes on a daily basis and are very familiar with their existing problems – ones which will only be exacerbated by the HODC Proposal.

Rush hour traffic also results in heavy congestion.[35] ETHS often holds evening events, such as sporting events, the hosting of visiting speakers to the community, and related events. During these times, this same corridor becomes impassable. We encourage the LUC members to drive through this area during ETHS drop off, lunch, pick up, and evening events to understand the extent of the congestion.

ii. The Variation thwarts the City's bicycle and pedestrian planning.

Additionally, the City of Evanston has put forth a proposal entitled "Church Street Pedestrian and Bicycle Improvements," in which it engages in an analysis of traffic patterns, issues, and problems in relation to pedestrian and bicycle safety.[36] We find the studies within the proposal particularly instructive. The proposal begins with the statement that "Church Street is a key route within Evanston, running east-west through the heart of the City and into downtown."[37] Indeed: "[d]estinations accessible by walking, cycling, and transit abound within the corridor between Dodge Avenue and the North Shore Channel, including the North Shore Channel Trail, Evanston Township High School, and community-oriented retail at the northwest corner of Church Street and Dodge Street."[38]

The proposal includes a visual of Church Street crash history near and at the Dodge Avenue intersection between 2014 and 2018, attached here as Exhibit E. The greatest number of vehicle crashes in the area occurred during the four-year time period at the Church St./Dodge Ave. intersection. During the relevant period, 33 crashes with injuries occurred, 5 crashes included pedestrians, and 7 crashes included bicycles.[39]

Finally, when public comment was given related to the Church Street Pedestrian and Bike Path Improvement Proposal, commenters from the community raised the following points: (1) "any measures to reduce traffic volumes and speeds on Church would be good"; (2) observations of "high vehicle speeds on Church,"; (3) requests that "bike facilities should be placed on another route with less car traffic); and (4) "there is congestion at the Dodge[/Church St.] intersection."[40]

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35 *See e.g.*, Exhibit F (photographs of typical 5pm weekday traffic at Church Street and Dodge Avenue, taken 1/24/23).

36 *See* Church Street Pedestrian and Bicycle Improvements, *located at*: https://www.cityofevanston.org/government/departments/public-works/engineering-construction/capital-improvement-program-projects/street-resurfacing-water-main-and-sewer/church-street-canal-park-bike-infrastructure; *see also* Exhibit E.

37 *Id.*

38 *Id.*

39 *See* Exhibit E.

40 Meeting Summary, Public Information Meeting, p. 2-3, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/66471/637686765243470000.

iii. The inappropriate density level due to the height Variation will result in pedestrian and bicycle safety issues from increased traffic and congestion.

An increase of density resulting in an increase of traffic – both vehicle and foot/bicycle – will create increasing safety concerns for pedestrian and bicycle commuters. In fact, the "City has now initiated a preliminary environmental and design study (a Phase I study) to fully evaluate [pedestrian/bicycle safety] improvements. The objectives of the study are to improve safety for people walking across Church Street within the project limits, fill a gap in the bicycle network on Church Street between Dodge Avenue and the west city limits, and fill the gap in the trail network along the east side of the North Shore Channel between Dempster Street and Church Street, with the goal of improving safety and mobility for people walking and riding bikes within these corridors."[41] In other words, this study, in its initial Phase, has already deemed pedestrian and bike safety a problem at the Church Street and Dodge Avenue intersection area.

We are concerned that the increased density will result in safety concerns related to increased traffic for students, residents, business patrons, and commuters – including our employees, many of whom regularly walk and bike to and from work. As described above, various public comments on the Church Street Pedestrian and Bike Safety Improvement Plan, indicate that the area is already particularly busy, enough so that commenters expressed: (1) pedestrian crossing areas should be shortened to reduce crossing distances; (2) bike facilities should be located on another street with less vehicle traffic; and (3) excitement that "work will be done to improve pedestrian and bicyclist mobility, access, and safety."[42]

iv. A large, dense development well beyond zoning height requirements will cause alley congestion and pedestrian/vehicle safety issues.

Our employees, ETHS students, residents, and children participating in Y.O.U. all regularly travel by foot, bicycle, and car through the rear/north alley, especially when necessary to avoid busy sidewalks and crawling traffic. In the alley, it is common to see neighbors traversing to-and-from their garages, students biking to and from school or activities, residents walking dogs or pushing strollers. It is a convenient and less chaotic way to navigate our immediate neighborhood, and casual observation suggests that it is largely utilized by the same individuals and vehicles, many of whom likely reside on the streets that back up onto the T-shaped alley that forks near our courtyard. It is also the route by which trash and recycling trucks traverse the neighborhood, and a single such truck can block one's access to the alley.[43] The increased density from the height Variation will result in increased alley traffic, especially when coupled with the proposed parking garage entry, resulting in greater likelihood of injuries sustained by pedestrians using the alley.

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41 Church Street Pedestrian and Bicycle Improvements, City of Evanston, *located at*: https://www.cityofevanston.org/government/departments/public-works/engineering-construction/capital-improvement-program-projects/street-resurfacing-water-main-and-sewer/church-street-canal-park-bike-infrastructure.

42 Meeting Summary, Public Information Meeting, p. 2-3, located at: https://www.cityofevanston.org/home/showpublisheddocument/66471/637686765243470000.

43 *See* Exhibit X.

v. A five-story development will result in a dearth of parking in an area where local businesses rely on its availability for employees and customers.

Currently, patrons and employees of local businesses can typically find free parking within reasonable proximity of their destination. The density of the proposed HODC development will irreparably alter this, to the detriment of business employees and patrons. While parking is generally accessible, the City of Evanston published a "Parking Survey" within its Church Street Pedestrian and Bike Path Improvement Proposal, in which it illustrates that – even at midday – parking occupancy at Church Street and Dodge Avenue is between 80% and 100%.[44] Such a substantial increase in density will markedly worsen this issue to the detriment of residents and local business owners, including us.

2. "The requested Variation is in keeping with the intent of the zoning ordinance"

The Major height Variation within the HODC Proposal falls far outside the intent of the zoning ordinance. Instead, a building of five stories and 57' in a neighborhood in which the surrounding buildings are 1 to 2 ½ stories on average,[45] will irreversibly change the character, style, scope, and feel of the neighborhood, in contravention of the City of Evanston's General Comprehensive Plan ("Comprehensive General Plan" or "General Plan").

a. The goals of the Comprehensive General Plan include throughout the "sensitive consideration of scale and design" to "preserve the quality of surrounding neighborhoods."[46]

According to Evanston's Comprehensive General Plan, while "a neighborhood's boundaries may vary with each resident's personal sense of place, many of the values attached to a neighborhood are shared."[47] Each of these "shared values," "including safety, reasonable protection from disturbances such as traffic, noise and pollution, access to public amenities and conveniences, and preservation of desirable physical surroundings—can in many ways be supported through public policies, including those presented in the Comprehensive General Plan."[48] The City acknowledges that "[p]olicies and programs, such as zoning, building and housing codes, community policing, recreation programs, and parking and traffic management, are ways to support a high quality of life in neighborhoods."[49] We request that the City follow the spirit and intent of its own Comprehensive General Plan related to zoning, building codes, and parking and

44 *See* Public Meeting Presentation, Church Street Pedestrian and Bike Path Improvement Proposal, at p.22, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/65400/637630879706470000.

45 HODC Memorandum of 1/5/23, at p.4, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

46 Comprehensive General Plan, City of Evanston, p. 30, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

47 Comprehensive General Plan, City of Evanston, p. 29, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

48 Comprehensive General Plan, City of Evanston, p. 29, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

49 Comprehensive General Plan, City of Evanston, p. 29, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

traffic management, to preserve the "high quality of life" in the neighborhood by rejecting a height variation that will increase density – and the complications that accompany overcrowded areas – to an untenable point.

i. The Comprehensive General Plan recommends Zoning Ordinances be followed to preserve neighborhood scale, design, character, style, and scope.

Throughout its Comprehensive General Plan, the City of Evanston returns to a theme of balancing two interests: (1) the necessity of development, especially related to residential properties; and (2) the preservation of the very fabric of a neighborhood in scale, design, character, style, scope, and similar considerations.[50] Indeed, "[f]uture development and redevelopment in any neighborhood business district should maintain and enhance the existing streetscape character at the same time that it promotes vibrant commercial activity."[51] The "value of Evanston property…is enhanced both by new development and by the preservation of the community's desirability. In recognition of the combined benefit of growth and preservation, many of the policies found throughout the Comprehensive General Plan emphasize redevelopment (such as that considered above) *within the context of the physical character of surrounding neighborhoods*."[52]

In balancing the above interests, the City elucidates a specific "Objective" that development "[r]ecognize[s] and support[s] the strong role neighborhood business districts play in Evanston's economy and its identity," listing corresponding "Policies/Actions" related to this Objective as the need to "Protect and enhance the traditional character of neighborhood business districts; carefully examine proposed design changes using the Zoning and Sign Ordinances, and site plan and appearance review."[53]

In fact, the City addresses the unique nature of the Church Street/Dodge Avenue area, emphasizing the sensitivity that should be applied to any planning in the area:

> "Follow-up studies of other corridors are encouraged to identify more specific priorities for potential redevelopment. Examples include portions of Dodge Avenue and Central Street. The potential for new multifamily residential, commercial or mixed-use development along these corridors should be given careful consideration. Scale and design should be compatible with surrounding neighborhoods, particularly low-density, single-family areas."[54]

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50 *See generally* Comprehensive General Plan, City of Evanston, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

51 *Id.*at p.46, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

52 *Id.* at p. 23, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

53 *Id.* at p.42-3, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

54 *Id.* atp. 21, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

The General Plan recognizes that where Variations to the Zoning Code are considered, the neighborhood, community, and adjoining properties are directly affected. The General Plan explains:

> "To be sure, whenever changes in the type or scale of land use are proposed, concerns can arise over compatibility with surrounding uses. Potential 'spillover effects,' such as parking and traffic congestion or aesthetic conflicts, can detract from the quality of any neighborhood….To evaluate and improve compatibility in the redevelopment planning process, the City's Zoning Ordinance – which regulates land use, building height and bulk--and the Site Plan and Appearance Review Process [ ] must be combined with the general vision of this document to stimulate growth and preserve the quality ambience for which Evanston is known."[55]

It is clear from the above that the Comprehensive General Plan considers the preservation of a neighborhood's character, scope, scale, and style to be a priority. HODC proposes a five-story development when no buildings in the area reach a height remotely that tall. Per City staff, "[e]xisting nearby buildings range between 1 – 2 ½ stories in height."[56] ETHS is indeed designed with several distinct, taller, towered, and finial elements, but these are exceptions to the building's overall height and are distinct outstanding architectural features rather than an uninterrupted horizontal height line as proposed by HODC. Any comparison of the height of ETHS to the HODC Proposal is therefore incongruous.

In all, a building that is at minimum 2 ½ stories taller than surrounding buildings qualifies as an egregious Variation in height that is distinctly out-of-character with the Church Street/Dodge Avenue area, and certainly with that of the R4 residential neighborhoods to the Parcel's north and south. The City touts Evanston's "urban/suburban mix, which makes Evanston distinct from other suburbs."[57] The addition of a 57' structure along the Church Street corridor here will undoubtedly shift this portion of the streetscape from one which is a blend of "urban/suburban," to one that is instead distinctly-urban in nature.

Additionally, considerations for development of the West Evanston neighborhood appear to consider 3-story developments as the most amenable to the neighborhood's character, as within the West TIF District Sub-Area #3 Final Report, which includes three neighborhood "Plan Alternatives" considered by the community, attached as Exhibit S to these materials.[58]

Zoning codes exist for a reason: to ensure neighborhoods are not unilaterally adversely affected and transformed by new structures and developments that inalterable change their character,

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55 *Id.* atp. 23-4, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

56 HODC Memorandum of 1/5/23, at p.4, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

57 Comprehensive General Plan, City of Evanston, p. 23, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

58 *See* Exhibit S.

appearance, and feel. To request a height Variation so far outside the scope of the Code makes superfluous the City's Code and its intended purpose. Why have a Code at all if the City is willing to essentially work outside of its scope altogether? Instead of proposing a development of a more appropriate scale – such as a three-story development – HODC brings forth a proposal that does nothing to retain the spirit, scope, and style of the neighborhood and instead coopts the neighborhood feel to one that is entirely different than what exists in the area today.

In 2006, Carlis Sutton stated the following in response to the 2006 HODC Proposal:

> "The [streets of Darrow Avenue, Dodge Avenue, Church Street, Lyons Street, and Emerson Street comprise] a residential neighborhood made up primarily of single family homes, with some two flats, four flats and several town homes. Our area includes three single family houses built for affordable housing and we welcome more affordable housing projects that are in the same character and scale as our neighborhood. In contrast, the proposed project for Darrow and Church is a four story, residential building with 27 apartments. The residents and landowners in this area value the essential character of our neighborhood and one of our highest priorities is to preserve this character as we work to revitalize it. It represents the quality of life that brought us to this area and that we desire to maintain.
>
> We oppose the planned development for Church and Darrow. One, because it is contrary to our vision of the area we call our home. Two, because it will have a negative impact on our neighborhood. And three, because there are viable alternatives both for commercial development and at that target site and for smaller scale affordable housing projects in our neighborhood."[59]

In sum, the extreme height Variation contradicts the City's own Comprehensive General Plan and Zoning Code by coopting the scale, scope, character, and style of the neighborhood and the relevant streetscape, and should be rejected by the Land Use Commission accordingly.

ii. The Comprehensive General Plan prioritizes the preservation of Evanston Historic properties as an integral part of city planning.

As part of its intent to preserve each neighborhood's character, scale, scale and scope, Evanston incorporates the protection of unique and historic properties. The General Plan focuses on "[s]upport[ing] efforts that maintain the architectural integrity of Evanston's large historic properties," and [e]ncourage creative adaptive reuse of properties available for redevelopment using zoning standards and the Site Plan and Appearance Review process to protect historic

59 Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p.15-16.

character."[60] Indeed, the City has tasked itself with "[c]ontinu[ing] [to] assist[] neighborhoods to recognize and preserve their own historically significant assets."[61]

Rather than respecting and aiding in the preservation of the historic character of the neighborhood, including the Historic Landmark adjoining the proposed development, the HODC Proposal hijacks it. It proposes an increase in height that is so substantial that the historic character of the streetscape will dramatically shift. Rather than appearing as a historically residential neighborhood with a small business corridor focused on serving area residents who can walk to access everyday needs, the neighborhood will inevitably appear commercial and dense in nature. The height Variation will result in a building that dwarfs all those surrounding and near it, resulting in a streetscape that no longer reflects its measured historic origins.

iii. An objective of the Comprehensive General Plan is to ensure traffic does not worsen and parking remains accessible for residents.

The City's Comprehensive General Plan states, as it relates to considerations of new developments, that "[p]arking requirements should be sufficient to meet the needs of new residents and to prevent a shortage of on-street parking."[62] Further, "[p]arking improvements should be considered to increase the supply of spaces and improve the quality of existing spaces where needed. Both parking and circulation [ ] should be the subject of further study and strategic planning in order to remedy traffic problems that may detract from the vitality of these business areas."[63]

Within neighborhoods, the City expresses its intent to "[m]minimize the adverse effects of such circumstances as traffic and parking congestion or incompatible hours of operation as part of City technical assistance or zoning/site plan review of businesses and institutions proposing expansion or relocation to sites adjacent to residential areas."[64] Streets within Evanston are classified as one of four types: Major/Arterial Streets; Collector Streets; Distributor Streets; or Local Streets.[65] Both Church Street and Dodge Avenue are qualified as Major/Arterial Streets by the City.[66] However:

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60 Comprehensive General Plan, City of Evanston, p. 33-4, 25, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000l.

61 *Id.*at p. 25-6, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000l.

62 *Id.*at p. 30, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000l.

63 *Id.*at p. 46, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000l.

64 *Id.*at p. 25, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000l.

65 *Id.*at p. 93, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

66 *Id.*at p. 93, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

> "[a]t times, the distinctions as listed [ ] can become blurred. The reality tends to be that, as traffic congestion accumulates on major streets, drivers will attempt to circumnavigate and use the next closest street. This situation adds to the traffic pressure and is a cause for frustration and safety concerns."[67]

Former Alderman Bernstein stated of the Church Street/Dodge Avenue area: "parking is very important in that area," explaining that the HODC 2006 Proposal required the City to "develop 30 additional spaces" to accommodate the development.[68] In other words, parking at the time of the 2006 Proposal was already overburdened to such an extent that the City had to alter parking regulations through "modification of allowing parking on both sides of the street, or allowing parking in places where parking was restricted previously."[69] As the Church Street/Dodge Avenue area has become more dense over the intervening 17 years, parking has arguably become scarcer.

The HODC Proposal increases density through its requested height Variation so substantially that – even with on-site parking – parking will become more of a scarcity in the area, harming area businesses and residents, in contravention of the Zoning Code and General Comprehensive Plan. The HODC Proposal does not discuss whether its residents will be encouraged to obtain local resident parking permits for the neighborhood, or whether they intend to require residents to park on-site. If HODC residents do obtain residential parking permits, this will further exacerbate parking issues for existing residents and will require far more City services to monitor parking enforcement.[70] Such density will create more traffic chaos – rideshare drivers stopped with their hazard lights on in active lanes of traffic (as can often be seen on Ridge Avenue near the large apartment buildings), food delivery and grocery drop-offs blocking loading zones or alleys, and cars parked in no-parking zones as occupants run quick errands – to the detriment of the businesses that rely upon the availability of parking in the area.

iv. The Comprehensive General Plan prioritizes the inclusion of neighborhood residents in reaching planning solutions.

The Comprehensive General Plan additionally emphasizes the importance of working with residents and businesses within neighborhoods in which significant development is proposed.[71] We submit that – where multiple, significant Major Variations are at issue – the goal of collaboration becomes more critically important.

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67 *Id.*at p. 23-4, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

68 Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p. 55-57.

69 *Id.*at, p.6.

70 *See* Exhibit V.

71 Comprehensive General Plan, City of Evanston, p. 21, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/6365013923980000001 Plan, City of Evanston, p. 40, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

As it relates to the Church Street/Dodge Avenue area specifically, the General Plan explains that the growth and redevelopment of the business, commercial, and industrial areas should include "[w]ork[ing] collaboratively with the neighborhood residents and businesses, representatives from the high school, lending institutions, and City staff to enhance the Church Street/Dodge Avenue business area."[72]

In this case, no task force or other community group was offered by the developer or the City to work collaboratively on mutually-agreeable scope and scale considerations for a new residential development in the area.[73] No consideration of area residents was offered regarding scale and design as compatible with the neighborhood. Instead, HODC submitted plans, documentation, and design proposals to the City without involving neighbors and constituents, leaving all such constituents in a position where we must work to understand and comment on the project within a very truncated amount of time, contrary to the spirit and intent of the General Plan.

Even so, Evanston's past involvement with constituents of the West Evanston neighborhood have been instructive. Indeed, the West Evanston Neighborhood Plan "grew out of a vibrant community process that consisted of a series of stakeholder conversations and community meetings over just over a six-month period."[74] During this community process a "number of specific themes evolved…[that] comprise what may be considered a consensus program for the planning and design for West Evanston," including: "[m]aintaining elements of the traditional social, cultural and historical character of the neighborhood is important;" "[t]he Church & Dodge streetscape should be people-friendly, and should include curbside parking, widened sidewalks, and improved landscape and lighting;" [t]he community desires well-lit people-friendly streetscapes that provide attractive arrivals and entries to the Church & Dodge intersection and the West Evanston neighborhood;" "[p]roviding generous greenways, trails, and landscaped buffers, and preserving existing & adding new open spaces are important to the community"; "The Dodge Avenue streetscape needs to provide adequate traffic flow, safe drop-off conditions at the front of ETHS, and improved pedestrian crossings;" "[t]here is a trade-off between density and residential sales prices – the higher the density, the lower the potential sales prices, and vice versa."[75] None of these considerations were addressed by HODC here.

It is clear, upon reviewing documents related to the 2006 Proposal, that the developer takes a similar approach today as it did 17 years ago, in what appears to be a pattern of practice. Carlis Sutton described the developer's approach in 2006, stating:

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72 *Id.*at p. 40, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

73 *See* Comprehensive General Plan, City of Evanston, p. 21, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000. (demonstrating previous work by the City to utilize task forces of area residents to address Church Street/Dodge Avenue planning).

74 West Evanston Final Report, City of Evanston TIF District Sub-Area #3, West Evanston, at p. 3, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/4022/636224209248000000.

75 *Id.*at at p. 4, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/4022/636224209248000000

> "The Zoning Ordinance and Adopted Plans makes protection of residential neighborhoods the top priority. We, as stakeholders, are mandated that any development conform to the Standards and the Tests. Is there something about my particular neighborhood that makes it ineligible for these protections? What excludes us?
>
> We have a sterling opportunity this evening to observe where the intent of the law and the concerns of the neighbors are in agreement. Don't facilitate a political decision to move this development on without visualizing the harm that this message will send out. The citizens concerns don't count. Zoning laws are not important. City plans and citizen participation are irrelevant."
>
> Virtually all the discussion that I've heard this evening and before the Task Force, has been about the occupants of the building and how to improve things for them. But the Developer expressed little or no interest in addressing the harm to the neighborhood, and did not agree to any corrections to reduce this harm."[76]

It is clear that – as before – this Proposal involves no collaboration as envisioned by the City; instead it is an effective means of pushing through a planned development contravening relevant ordinances with a unilateral viewpoint as its sole support.[77] Considering the approach taken in this Proposal, we request that the Land Use Commission reject the requested height Variation as contrary to the spirit and intent of the Zoning Code.

b. A development of this height and scale would be better implemented in a B3 district with buildings of similar height and footprint.

The Parcels at issue are within the oWE West Overlay District within a B2 District. Our understanding is that the City is considering elimination of Overlay Districts in part due to the substantial cost of implementing the requirements of the Code in each Overlay area. While the City continues to consider the issue, the Overlay District regulations remain in effect.

The oWE West Evanston Overlay District includes zoning regulations that require that redevelopment include street extensions with "extensive" storm water retention, curbs, sidewalks, street lights, etc. and "dedication of that land back to the City."[78] With regard to this, City staff explains "[w]hile the street extensions are ideal for linking existing blocks and fulfilling complete-streets with multimodal access, doing so is cost prohibitive, may increase vehicular traffic in existing neighborhoods, and removes private property from the property tax base once dedicated back to the City. Additionally, once constructed, the new streets, sidewalks, storm water, and

76 Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p.11 -12.

77 *See also* The Village of Wilmette, Additional Agenda Material, dated Apr. 9, 2018, *located at*: https://www.wilmette.com/download/agendas_and_minutes/village_board/packets/archive/2018/additional_agenda_material/Additional-Agenda-Material-04-10-18.pdf (asserting pattern of practice by HODC that fails to involve residents).

78 Memorandum re: Discussion of the West Evanston Plan & Overlay Area and its impact on current and future development, Melissa Klotz, Oct. 24, 2022, p. 2.

other infrastructure requires life-long maintenance by the City."[79] In other words, implementation of a project with such significant Major Variations, including as it relates to height, will necessitate infrastructure changes that in fact add significant costs to the City's already-burdened coffers.

Considering that a residential development *without* Major Variations would add a financial burden to the City here, it follows that the addition of two additional stories (and a marked footprint increase related to setback Variation requests) resulting in significant increases in density, will add a significant financial burden to the City related to heightened, perpetual maintenance.

In distinct difference, Evanston B3 Commercial Districts provide for a significantly more appropriate location for a five-story building. B3 Districts "[p]rovide for higher density business development at compact locations adjacent to mass transit facilities that can support intense business uses and accommodate greater building heights than the B1 and B2 business districts."[80] Specifically related to residential density, "increased residential density should be supported along major mixed use corridors such as Chicago Avenue or Central Street where it can also be oriented towards mass transit service."[81] Further "The current zoning regulations for certain segments of the Chicago Avenue corridor allow increased density of residential activity mixed with storefront uses at the ground floor. This increased density would take advantage of the excellent mass transit access by bus, three CTA stations, and one Metra station in the corridor."[82]

West Evanston "has a number of important community anchors, notably the many neighborhood churches and the small retail and service establishments centered at the Church [and] Dodge intersection."[83] As was the case in the 2006 Proposal by HODC, "this project may well be suited for other areas," but is not "appropriate for that particular area."[84]

3. <u>"The alleged hardship or practical difficulty is peculiar to the property"</u>

In response to this Standard for Approval, HODC submits: "The property consists of vacant lots on a developed block. Compliance would not allow the new building to fit into the neighborhood or provide amenities necessary to create an attractive structure."[85] The developer admits directly that it will be building on a "nearly vacant lot." Indeed, a "nearly vacant lot" is one with the

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79 Memorandum re: Discussion of the West Evanston Plan & Overlay Area and its impact on current and future development, Melissa Klotz, Oct. 24, 2022, p. 2.

80 Comprehensive General Plan, City of Evanston, p. 39, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

81 *Id.*at p.39, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

82 *Id.*at p.47, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

83 *See* West Evanston Final Report, City of Evanston TIF District Sub-Area #3, West Evanston, at p. 1, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/4022/636224209248000000.

84 Minutes of May 22, 2006, Statements of Alderman Bernstein, Planning and Development Committee, attached hereto as Exhibit O, p. 55-57.

85 HODC Requested Variations Application, p.4, *located within Land Use Commission Packet, Jan. 11, 2023 at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

fewest restrictions possible. The "parcel" at issue is not limited. In fact, there are five Parcels at issue, rather than one to which HODC is confined. HODC and Mt. Pisgah Ministry intend to come to an agreement wherein they redraw the property lines and redivide the five parcels into two. Accordingly, the HODC-proposed parcel could be drawn to be wider so that it could have the same number of dwelling units without the height, or in myriad other ways that thoughtfully consider design related to the neighborhood and provide needed housing.

HODC provides a very narrow narrative in which it asserts that its proposed project must be five stories in height, and extend to the edges of the property lines without any setback, even though HODC is the one redrawing the property lines for itself. One cannot have it both ways. HODC has the flexibility to redraw the parcels and property lines in whatever fashion and scope it chooses and agrees upon with Mt. Pisgah. And yet, HODC has redrawn these property lines itself and *even then* has asked for Major Variations related to height, scope, and scale within the property lines that it *self-selected*. We submit that the requested scope of this project is not dictated by any peculiarity to the property, but rather is due to the manner in which HODC has itself redrawn the Parcel property lines for its future use.

In the words of Carlis Sutton regarding the HODC 2006 Proposal:

> "The tragic fallacy of this disagreement is the notion that neighborhood values have to be compromised to achieve affordable housing goals. They do not! Affordable housing and neighborhood preservation can be achieved compatibly and harmoniously by planning affordable housing projects that fit the particular character of Evanston's diverse neighborhoods. We, who embrace these values on both sides of this issue, should not have been forced into this avoidable and disheartening dilemma."[86]

Indeed, HODC is beginning with a space that can be designed in an expansive variety of ways while also meeting community goals of erecting affordable housing units. This is not an all-or-nothing puzzle to be solved, nor is there a single solution to designing such a property.

We ask the LUC to recognize that, instead of presenting a practical difficulty or hardship peculiar to the property, HODC has been presented with a blank slate upon which it could design "an attractive structure" that meets the Zoning Code, or at minimum, does not exceed the height requirements of the oWE West Evanston Overlay District.

4. <u>"The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out"</u>

We raise first here a construct of statutory interpretation. The instant Standard for Approval requires that the "property owner" would suffer a particular hardship or practical difficulty.[87] We

86 Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p. 18.

87 Municipal Code, 6-3-8-12(E).

assert that as a company which is not the "property owner" of any of the Parcels at issue, HODC cannot meet this Standard for Approval.

Even should the Land Use Commission consider that this Standard for Approval may be met, despite that the Applicant and the property owners are definitively distinct, HODC cannot meet the elements of this Standard. In response to this Standard, HODC writes:

> "It would not be feasible to construct the new building if the regulations were followed. The City's Consolidated Plan describes the extensive need for affordable housing and compliance would reduce the number of units making the project infeasible and reducing the positive impact to reach the City's goal of more affordable units. The proposed building includes new retail space to serve the community. The residential portion includes community space, storage, on-site management, laundry, a roof deck and other amenities for building residents. The building would not be able to function and serve its community if the building were to be constructed in strict conformance with Zoning Ordinance requirements since there would not be adequate space for these features."[88]

This answer does four things. First, it fails to answer with specificity what particular hardship or practical difficulty would exist, as opposed to a mere inconvenience. We struggle to understand what the actual substantive hardship demonstrated here is. We request that the LUC place the burden on the Applicant, as is appropriate with such requests, to demonstrate HODC's particular hardships with respect to each particular variation.

Second, HODC's assertion is an all-or-nothing statement wherein HODC essentially states that either all of the Major Variation requests be granted, or the project becomes "infeasible." This is disingenuous at best, as HODC could rescind certain specific Major Variation requests, could scale back the scope of specific variation requests, and could alter its plans to include fewer amenities.

Third, the statement that "[t]he building would not be able to function and serve its community…since there would not be adequate space for these features" (*i.e.*, the amenities), offers a flawed narrative. Without each of the listed amenities, the development could still feasibly and concretely "function and serve its community." The loss of one or several of these potential amenities rises to the level of a "mere inconvenience," rather than a particular hardship or practical difficulty.

Amenities are not typically understood to be essentials. Indeed, that is why they are called 'amenities,'[89] and vary in their nature. The amenities to be included in the new development include: a library, lounge space, office space, community space, laundry, storage, on-site

88 HODC Requested Variations Application, p.4, *located within Land Use Commission Packet, Jan. 11, 2023 at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

89 *See e.g.*, Merriam-Webster, *located at*: https://www.merriam-webster.com/dictionary/amenity (defining 'amenity' as "something that helps to provide comfort, convenience, or enjoyment"; "the attractiveness and value of real estate or of a residential structure"; "a feature conducive to such attractiveness and value").

management, roof deck, and a trash room.[90] Future residents might consider on-site laundry and trash room to be more important than – for example – a community space. The developer's arguments here should allow for room to adjust these amenities to scale down the scope of the proposed project. These statements regarding the amenities provide value to subjective determinations of what future residents might find important to them, placing each on equal footing as essential elements of the development. Again, the developer, as the Applicant, must be able to adapt these optional building characteristics and features to – at minimum – compromise on the scope and scale of this proposed project, especially as it relates to height.

Fourth and finally, this argument makes the unilateral assumption that the City's Consolidated Plan and the City of Evanston itself has one goal and one goal only: affordable housing. While affordable housing is – *and should be* – a priority goal of the City, it is not – and should not be – its *only* goal. The City must also consider neighborhood density and character, the intent of the zoning code, the historic character of existing neighborhood buildings, pedestrian and bike safety related to over-crowding of the area – especially as it relates to ETHS students –, traffic and parking concerns in an area that is already problematic in both regards, the dangers of digging out a biohazard-heavy site and exposing neighbors and passing teenage students to potentially toxic dust and debris, stormwater and flooding concerns, and related issues.

We argue that – especially when taken together – these concerns should rise to the level of those that the City must consider and balance against other needs. Especially considering that the issue here is *not* affordable housing, but rather the scope and scale of the requested Major Variations put forth by HODC. HODC could build affordable housing – thereby meeting the City's "extensive need for affordable housing" – while constructing a building less vast and monolithic in nature, and which requests no variations, fewer variations, or variations which are smaller in scope.

To once again incorporate the eloquent words of Carlis Sutton from 2006:

> "Opposition to this project by the Council may be mis-construed as a lack of support for affordable housing efforts and there is pressure to quickly initiate development activities…Despite these great pressures, City Council should not accept this plan without major changes to conform to the character and needs of our area. The intention of this neighborhood, to preserve its character, should not be sacrificed to achieve another community goal no matter how invested the project is. Especially where there are compatible alternatives. We're being asked, under the banner of affordable housing, to sacrifice our long-term best interests to benefit the short-term interests of an other invested party's."[91]

90 HODC Memorandum of 1/5/23, at p.4, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

91 Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p. 19.

We accordingly request that the LUC view the requested height Variation in light of the other considerations at issue and find that no particular hardship or practical difficulty exists with regard to this Major Variation.

5. "(a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits"

HODC answers the above as follows: "The purpose of the variation is not based exclusively upon a desire to extract income from the property. The development will provide affordable housing for low-income households and neighborhood retail. The rents will be below-market so there will be no financial benefit to allowing the variances. The new building will create benefits to the community that will be realized if the variations are granted such as new retail space and sales taxes, real estate taxes, community space, management office, ADA-compliant units, adequate parking, and building security."[92] This argument falls flat for several reasons.

First, our understanding is that the City will donate this lot to HODC. The mechanics of the transaction are not entirely clear to us. As it stands, the City owns the lot at 1801-1805 Church Street. However, the Mt. Pisgah Proposal is slated to be located on this property. HODC's development would be located where the Mt. Pisgah Church currently stands. The lot in and of itself has significant value that appears to result in an economic windfall to HODC. According to news sources, in February of 2012, the lot at 1801-05 Church Street was appraised at a value of $340,000.[93] If the 1801-1805 lot was valued at $340,000 in 2012, after the 2008 housing market crash, and we can extrapolate that the land comprising the 1811-1815 lot was worth a similar amount at that time, it would follow that each lot is worth significantly more today. HODC does indeed stand to gain a significant financial advantage from obtaining this land.

92 HODC Requested Variations Application, p. 4, *located within Land Use Commission Packet, Jan. 11, 2023 at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

93 *See*, "City May Acquire Former Gas Station Site at Church and Darrow," Jennifer Fisher, Jun. 13, 2012, *located at*: https://patch.com/illinois/evanston/city-may-acquire-former-gas-station-site-at-church-and-darrow ("In February, the lot at 1801-05 Church St. was appraised at $340,000, according to [former economic development coordinator, Paul] Zalmezak. However, property owner Daniel Cheifetz owes some $45,000 in back taxes, penalties and fees, and based on preliminary conversations with Cheifetz, the city believes it can acquire the property for $127,000, Zalmezak said. Cheifetz is known locally for his role as director of Enterprise Development Foundation….Including environmental studies, remediation costs and purchase price, Zalmezak estimated that the total acquisition costs for 1801-05 Church St. would be about $217,000, well below the site's appraised value. 'It's kind of a rare opportunity to get a property that's significantly below market,' Zalmezak said").

Additionally, HODC will retain ownership of the property and will manage it themselves. Within the sector of residential real estate, it is typically understood that the best means of maximizing profit is through dual ownership-management relationships. HODC will also own and manage the four ground-floor commercial properties, which will result in a more significant income source. Between HODC's retention and management of the residential and commercial property, and the City's Parcel donation to the Applicant, HODC will profit considerably.

HODC will receive $18,000,000 in various sources of funding as well as $4,000,000 from the City of Evanston. Even absent any value conferred from the City's donation of the relevant Parcels, the dwelling units appear to require around $500,000 per each of the 44 units. In 2006, when the City considered HDOC's 2006 Proposal, City legislators took issue with the per-unit dwelling cost as follows:

> "So when I look at a project from a zoning aspect and it calls upon me to extend variations, I then look to public benefit. And to me, the public benefits here are too remote. And too obscure, and too, too iffy. There are no guarantees in this plan….This is six million dollars that's going to be spent for affordable housing….to me, $389,000 rental units are really expensive units….I was not excited about the project initially because I know the people who are objecting. And I know their commitment to the community. And I know they're good people….I just think that there's too much, too much fat in this particular budget for a couple not-for-profits and too little benefit for the public."[94]

The City previously took issue with units valued at $389,000 each. It follows that, even with inflation, units valued at $500,000 should be carefully considered by the LUC as it relates to the instant Standard for Approval, as per the reasoning above.

As such, to request a marked height Variation to add a large number of dwelling units to the development – resulting in remuneration through rent, and per-unit management fees, if HDOC utilizes such a model – appears on its face to result from a desire to extract additional income from the proposed height Variation. HODC's assertion that ,"[t]he rents will be below-market so there will be no financial benefit to allowing the variances[,]" obfuscates the fact that much of HODC's financial benefit will come from the long-term management of the units. The more units they construct, the more management fees they will pay themselves; the below-market rents they intend to offer are a red herring.

a. Public Benefits will not result from a Major Height Variation of two stories.

Even if the Land Use Commission does not deem the financial windfall to HODC to be based upon the exclusive desire to extract additional income from the property, public benefits ("Public Benefit(s)") to the neighborhood as a whole will not be derived from a Major Variation approval of two additional stories.

94 Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p. 58.

We list each Public Benefit for consideration below and respond to each in turn.

- "preservation and enhancement of desirable site characteristics and open space";

  As discussed at length above, and incorporated here by reference, height does not preserve and enhance characteristics of the site, but will instead dominate and dwarf the neighborhood's characteristics and streetscape.

- "a pattern of development which preserves natural vegetation, topographic and geologic features";

  Rather than preserving natural vegetation and related features, the Variation in height will disturb natural vegetation and topographic features by blocking light.

- "preservation and enhancement of historic and natural resources that significantly contribute to the character of the City";

  Instead of preserving and enhancing historic and natural resources, such as the adjoining Historic Landmark property, the height Variation will cause potential damage to such historic and natural resources. The height Variation will detract from the appearance of surrounding properties in a manner that conflicts with the City's goals of preservation and enhancement.

  Indeed, "although a neighborhood's boundaries may vary with each resident's personal sense of place, many of the values attached to a neighborhood are shared. Shared values--including safety, reasonable protection from disturbances such as traffic, noise and pollution, access to public amenities and conveniences, and preservation of desirable physical surroundings--can in many ways be supported through public policies, including those presented in the Comprehensive General Plan. Policies and programs, such as zoning, building and housing codes, community policing, recreation programs, and parking and traffic management, are ways to support a high quality of life in neighborhoods."[95]

- "use of design, landscape, or architectural features to create a pleasing environment or other special development features";

  The height of the building will disrupt and detract from the environment and fabric of the area, rather than creating a pleasing environment.

  We request that the City consider its own language stating:

  > "Those buying property adjacent to a different classification of land use should anticipate that the future could bring a change in the scale or nature of activity at that location. *Likewise, those intending to develop property adjacent to different zoning districts are encouraged to be sensitive to the impact of their*

95 Comprehensive General Plan, City of Evanston, p. 29, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

> *designs, particularly if they will adjoin single-family residential areas. As a policy, the City should work to offset adverse effects (such as traffic and parking congestion or incompatible hours of operation) as part of its technical assistance, zoning regulation, and site plan review for businesses and institutions proposing expansion or relocation to sites adjacent to residential areas*."[96]

Despite City guidelines, HODC has not given sensitivity to the impacts of the design and architectural features on the neighborhood with the proposed height variation.

Further, HODC's claims that it will contribute to surrounding greenscape are hollow and slap-dash. As an afterthought, HODC added planters to the front of its stark building – but having already planned development for almost every inch of its intended property, it "placed" those planters on the public sidewalk in front of its building. This is a demonstrative illustration of HODC's lack of sensitivity for the manner in which its proposed building might impact the surrounding neighborhood, and it is addressed in greater detail below.

- "provision of a variety of housing types in accordance with the City's housing goals";

While the HODC Proposal provides housing, this sole factor is not outweighed by the above arguments. Additionally, as in 2006, none of the proposed dwelling units are rent-to-own, offer immediate home ownership, use a co-op model, or otherwise create an affordable home ownership option. Home ownership should be a large part of the focus in creating affordable housing. Studies indicate that the creation of generational wealth is a critical part of removing individuals and families from the cycle of poverty:

> "Low-income households and households of color have limited access to home-ownership because of barriers such as limited supply of affordable housing, restricted access to credit, and systemic inequities. For those low-income households and households of color, homeownership can be a catalyst to wealth building.…[H]omeownership promotes wealth building by acting as a forced savings mechanism and through home value appreciation….Home value appreciation also helps homeowners build wealth by enabling them to realize greater proceeds if they sell the home or borrow against the additional equity. In addition, owning a home promotes intergenerational homeownership and wealth building. Children of homeowners transition to homeownership earlier – lengthening the period over which they can accumulate wealth – and have homeownership rates 25 percentage points higher than the rate of children of renters."[97]

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96 *Id.*at p. 30, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added.)

97 How Does Homeownership Contribute to Wealth Building, Habitat for Humanity, p. 1-2, *located at*: file:///C:/Users/premi/Downloads/Evidence-Brief_Wealth-building-for-homeowners_0.pdf (citing, Boehm, T.P., and Schlottmann, A.M. Housing and Wealth Accumulation: Intergenerational Impacts.

HODC's Proposal makes no room for home ownership. Were home ownership options available for units at the proposed development, the Public Benefit element related to housing would involve a different calculus and arguably hold more weight.

- "elimination of blighted structures or incompatible uses through redevelopment or rehabilitation";

  No blighted structures are being removed to accommodate the HODC Proposal. Instead a church which has been in Evanston for many years is being demolished to accommodate the development. Regardless, the height variation will not create any underlying difference related to this Public Benefit consideration.

- "business, commercial, and manufacturing development to enhance the local economy and strengthen the tax base";

  While a new property will add to Evanston's tax base, the development would do so absent any height Variations. Further, HODC is a 501(c)(3), and while they have stated that the Parcels will be returned to the property tax rolls, they have not made any commitment about how long they might remain there before HODC requests non-profit property tax relief.

- "the efficient use of the land resulting in more economic networks of utilities, streets, schools, public grounds, buildings, and other facilities"; or

  Again, any use of the land – whether or not deemed efficient – would exist without the marked height variation.

- "the substantial incorporation of generally recognized sustainable design practices and/or building materials to promote energy conservation and improve environmental quality, such as level silver or higher LEED (leadership in energy and environmental design) certification."

  None of these goals are advanced by increasing the height in such a drastic manner.

  In the words of former Alderman Bernstein, with regard to the 2006 Proposal by HODC, which we reiterate was significantly lower in height and smaller in scale: "when I look at a project from a zoning aspect and it calls upon me to extend variations, I then look to public benefit. And to me, the public benefits here are too remote. And too obscure, and too, too iffy. There are no guarantees in this plan….I think that this project may well be suited for other areas. But I just don't think it's appropriate for that particular area."[98]

Joint Center for Housing Studies of Harvard University; 2001:24, https://www.jchs.harvard.edu/sites/default/files/media/imp/liho01-15.pdf; Boehm, T.P., and Schlottmann, A.M. "Does Home Ownership by Parents Have an Economic Impact on Their Children?" Journal of Housing Economics. 1999;8(3):217-232, doi:10.1006/jhec.1999.0248).

98 Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p. 55-57

We seek to focus the LUC on the consideration of each *requested Variation* as a purported Public Benefit. HODC appears to focus on the Public Benefit of an affordable housing complex generally. This is not the consideration at issue here. Instead, the LUC is tasked with determining how each particular Variation request will act as a Public Benefit, rather than assessing the Public Benefits of the Proposal as a whole.

We accordingly submit that the height Variation will result in additional income to HODC, which is not outweighed by Public Benefits to the neighborhood derived from a two-story height increase beyond what is allowed in the City's Zoning Code. Instead, the requested Variation in height will offer few, if any, Public Benefits, while simultaneously providing additional income to HODC through a much greater number of dwelling units from which HODC can collect a variety of income streams.

6. "The alleged difficulty or hardship has not been created by any person having an interest in the property"

In response to this Standard for Approval, HODC explains: "Building new affordable housing with retail on a nearly vacant lot will enhance the overall community as well as this block. The hardship is created by the limitations of the parcel itself which is located in a built-out community and part of a larger redevelopment effort to improve the neighborhood."[99] As discussed in depth above under Standard for Approval (3) above, HODC will be building on a "nearly vacant lot." Again, HODC and Mt. Pisgah have carte blanche to design their division of the Parcels in the way that best suits each. To redraw the five Parcels according to their own preferences, and then assert that the developments will only work with seven Major Variations *per Applicant*, including a height increase of two stories, is arguably the very definition of self-creating a particular difficulty or hardship.

Instead of creating its own purported particular difficulty or hardship necessitating a substantial and disruptive height Variation, HODC could choose to divide the Parcels in a manner that better suits the number of desired dwelling units. It could also offer fewer dwelling units, fewer amenities, fewer or no ground floor commercial spaces, or a variety of other combinations of the above.

On its face, it appears that HODC proposes the current project in the same manner in which it proposed its 2006 project for the same site: with a "take it or leave it" approach. In 2006, Mr. Sutton made the following statement about the 2006 Proposal:

> "We continue to refer to other major projects which were approved by the Plan Commission and the Developer still made major alterations in accordance with the neighbors and the Planning and Development Committee. Mr. Koenig, by

99 HODC Requested Variations Application, p.4, *located within Land Use Commission Packet, Jan. 11, 2023 at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

contrast, has been unwilling to make any significant improvements despite unanimous findings of fact requiring disapproval by the Plan Commission."[100]

We accordingly respectfully request that the LUC deem this purported difficulty or hardship one of self-creation by HODC in its unilateral planning. We reiterate that there is no "all-or-nothing" solution to the need for an affordable housing development on the Parcels at issue.

7. <u>"The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation."</u>

In its Application for Major Variations, in response to the question "Have other alternatives been considered, and if so, why would they not work?" HODC states "The design team has considered many alternatives and the variances requested create the best possible project for the area."[101] This is a non-response. We pose the following follow-up question: for whom, and to whose benefit, is this the "best project for the area"? HODC does not answer whether the "many alternatives" considered by HODC involved less deviation from the applicable height regulation.

We would like to understand what other alternatives HODC considered. In our view, some at least involved a four-story building proposal.[102] It seems likely that the HODC alternative designs did involve options with fewer stories.

Did the alternate proposals leave the church – a smaller proposed building of three stories – in its current location, per the rendering on the Mt. Pisgah website? Why is that not a feasible alternative involving a significantly-smaller scale deviation from the code?

We request that the LUC place the burden on the Applicant, as is warranted with such a proposal, to demonstrate in what manner the requested height Variation involves the least feasible deviation from the Zoning Code. To do otherwise contravenes the City's commitment within its own Comprehensive General Plan to ensure developers work with community members and neighbors to establish mutually-agreeable solutions to new development and redevelopment. While the opportunity to work together has long passed due to the stage of the project at this point, it is only reasonable for the LUC to request the Applicant operate transparently by sharing its "many alternatives" to the current design and to justify in what way this particular height proposal involves the least deviation from the Code.

We further request an understanding of whether HODC can in actuality make modifications to its Proposal, or whether the City truly has been presented with an "all-or-nothing" decision. In its 2006 Proposal, HODC was constrained in its ability to revise its plans due to financing and restrictions placed on it by the HODC Board:

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100 Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p. 13.

101 HODC Requested Variations Application, p.4, *located within Land Use Commission Packet, Jan. 11, 2023 at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

102 *See* Exhibit G, demonstrating 4-story renderings of the HODC Development on the Mt. Pisgah Ministry, Inc. website, *located at*:

> "It has become more apparent over the course of the past weeks…that HODC really didn't have the ability to compromise much at all because of the application that has been submitted to IHDA for the LIHTC financing…While we appreciate that HODC has invested much time and money in bringing the proposal to this point, we feel very strongly that this dialogue with the stakeholders should have taken place before the application was submitted to IHDA. The neighborhood groups who oppose this project maintain that we should not bear the burden of the Developer's inability to modify this project because they finalized financing for a planned development before presentation [to the] Plan Commission, before presentation to the Planning and Development Committee, and before presentation to the legal stakeholders."[103]

It appears that HODC did not alter its methodology with its current Proposal, instead repeating the same steps with which the community took issue in the past. Rather than working with stakeholders on the current Proposal, HODC has undertaken similar if not identical steps as in 2006. Why approach this Proposal the same way as in 2006, rather than working with stakeholders initially, unless HODC wants to present the project in an all-or-nothing manner? To propose the project again without initial stakeholder involvement allows HODC to argue that it has no room to modify its Variation requests, meaning the City must either accept or reject the project as a whole. As before, this is disingenuous at best, and at minimum, unfair to community members who are entitled to a voice in this process as within the spirit and intent of the City's General Plan.

B. Major Variation #2: Reduce the required front yard build to zone from 5'-10' to 0'; Reduce the required west and east interior side yard setbacks from 5' to 0'; and Reduce the required rear yard setback from 5' to 0'

For the sake of expediency, we couple together here our objections to the four Major Variation requests related to setbacks in the HODC Proposal.

HODC proposes a reduction in setbacks to 0' at each of the east, west, north, and south property lines.[104] The development would thus directly abut our adjoining property to the east, the rear alley to the north, the Mt. Pisgah Proposal to the west, and the Church Street sidewalk to the south. In addition to requesting a Major Variation to provide zero setback at the sidewalk at Church Street, HODC proposes placing 1' tall granite planters in front of the development, which are to extend 2' into the pedestrian walkway.[105]

The footprint of the HODC Proposal would extend the building foundation on each of the four sides by 5', to each relevant property line, dramatically increasing the building's proposed square footage, especially when considered in tandem with the proposed five stories to comprise the

103 *See* Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O, p. 24-5.

104 Memorandum of 1/5/23, at p. 1, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

105 Verbal Statement by Richard Koenig, HODC, Land Use Commission Hearing, 1/11/2023.

development. Such a dramatic square footage increase due to *four* setback-related Major Variation requests will again markedly increase the density of the building's occupancy. Accordingly, we incorporate here by reference and reiterate each of our above arguments regarding the height-related Major Variation request as they relate to the setback-related Variation requests, including: Increased Traffic; Insufficient Parking; Alley Noise, Safety, and Traffic; and Pedestrian and Bike Safety Issues. We incorporate and reference these arguments as they relate to each of the seven Standards for Approval.

1. "The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties";

    a. *The requested setback variations will have a substantial adverse impact on property value and use and enjoyment of our property.*

The erection of a building directly abutting our east property line will substantially impact our property value, and our use and enjoyment of our property through a significant reduction in light, and through an increase in noise due both to proximity of new neighbors and the noise-reflective materials that will directly adjoin our building and echo ambient and neighborhood noise into our property.

We request that the LUC carefully examine the photographs of our skylights and dearth of other natural light due to the absence of windows (attached here as Exhibit M). It is difficult – without viewing the photos or touring the space – to imagine an office space with no side windows, which instead receives natural light only through ceiling skylights which then disperse natural light through transom windows and glass partitions. Upon a careful examination of the Exhibit M photographs, we hope the LUC will see the difficulty with which we are faced in relation to a project that proposes to not only be five stories in height, but which also eliminates natural light that results from the typically-required space between buildings. The Variation in setback on the east side of our building will not simply *reduce* natural light, it will effectively *eliminate* it. We will truly be plunged into darkness that can only be resolved through extensive electric lighting, nullifying our attempts at energy efficiency and posing problems for employees who rely on receiving *some* natural light during their workday to remain alert, awake, and generally happy.

    i. In redesigning and renovating its offices in 2022, we relied on the Zoning Code's requirements pertaining to setback (and height).

Had we purchased this building as it is currently designed and simply moved in to our office as it is, perhaps our arguments on this issue would hold less weight. That, however, is not the case. Rather, we relied – *potentially to our extreme detriment* – on the oWE West Overlay District Zoning Code when renovating and rebuilding the entirety of its second floor. Had we known that the Zoning Code would be rendered toothless for the adjoining properties, we would have acted differently. Had we understood that a building would be erected at the edge of our east property line against Code, at the proposed height, against Code, we would have designed our entire second floor in a distinctly different manner. Perhaps we would have involved the City's Historic Preservation Commission, structural engineers, and a variety of contractors to evaluate potential

alternatives to the design that we implemented, and would have worked with our architect with different goals relating to the possibility of east and west side windows.

In making renovations and redeveloping property within the City, property owners are entitled to rely on the Zoning Code to understand how their improvements and changes could be affected by neighbors under the Code, including neighbors who are differently-zoned. We did just that. We reviewed the Zoning Code; we commissioned architectural plans in reliance on the Zoning Code; we sought permits based on the Zoning Code; we designed our entire renovation based on the Zoning Code. But for the Zoning Code, we would have designed our offices differently.

The Parcels at issue are Zoned identically to our property. Again, had the Parcels at issue been zoned differently than our property, we could – and should – have been placed on notice to anticipate a property which might dwarf it, substantially alter its light, and add to noise. The General Comprehensive Plans states as much and even informs those developing properties of their responsibility to design with sensitivity to neighboring properties which are differently-zoned:

> "Those buying property adjacent to a different classification of land use should anticipate that the future could bring a change in the scale or nature of activity at that location. Likewise, those intending to develop property adjacent to different zoning districts are encouraged to be sensitive to the impact of their designs, particularly if they will adjoin single-family residential areas."[106]

Despite the fact that our property and the relevant Parcels are identically-zoned, HODC has not been sensitive to its design's impact on neighbors, as evidenced by its setback and height variation requests that are contrary to the character of the neighborhood's design, streetscape, and scope.

ii. The setback removal at our east property line will alter the functionality of our building's courtyard, the residential apartment, and the intended garage/dwelling building at the north end of our property.

The removal of any required setback from our east property line will disrupt natural light to our courtyard, the intended garage/dwelling and solar panels to be built and installed at the rear/north end of our property, and the residential apartment on our building's third floor. We incorporate by reference here the arguments above related to blockage of light from the Variation in height.[107]

Additionally related to the third floor residential apartment, a lack of light and increase in noise resulting in decreased desirability of the apartment as a rental, will be modified by the lack of privacy in that unit. Windows in that unit will now directly face neighboring dwelling units in the HODC development.

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106 Comprehensive General Plan, City of Evanston, p. 30, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

107 We refer the LUC again to Exhibits A, B, H, and J (photographs and renderings of each relevant area).

Additionally placing a structure comprised of surfaces that reflect – rather than absorb – sound immediately at the property line will further the enhancement and echoing of ambient noise and neighborhood noise, as well as bringing noise from new neighbors in the HODC development significantly closer to our property. Again, the result is a decrease in property value of our building and the residential apartment due to the proximity of the requested Variance. Indeed, while the HODC Proposal is being constructed, noise, vibration, dust, and the presence of workers will all exist immediately outside the apartment's windows, making it uninhabitable for that period of time.

iii. The east setback Variation is highly likely to impact the fragility of the Historic Landmark structure that we own and occupy.

A Major Variation, wherein the HODC building footprint reaches to the shared property line, will place significant strain upon our Historic Landmark building's foundation and structural integrity. Evanston states as an "Objective," the preservation of Evanston's historic architecture, by "[c]ontinu[ing] to support and recognize private efforts to restore and preserve Evanston's architectural heritage," and "[s]upport[ing] efforts that maintain the architectural integrity" of Evanston's Historic Properties.[108]

Proposed excavation of a parking garage in such close proximity to our aged foundation will be likely to cause subsidence of our building's foundation and supporting beams and walls both during and post-construction. This is especially problematic considering the building's historic nature, as the remedying of structural issues must be approved by the Historic Preservation Commission where appropriate. Post-construction, as the building settles, subsidence often begins or worsens, even if not already begun during construction:

> "There are numerous field conditions where construction activities in an urban setting can potentially damage neighboring structures. Deep excavation and/or construction related vibrations are primary culprits. *Careful planning and engineering, pre-construction surveys, vibration monitoring, neighboring building movement monitoring, project coordination with neighborhood properties, and overall due diligence all play a vital role in the successful completion of a new foundation system within an urban setting*.
>
> ….
>
> New large scale mid-rise and high-rise buildings in urban neighborhoods often require foundation structures 1 to 5 stories deep to accommodate underground parking decks and building mechanical systems [such as underground stormwater retention tanks]. These new foundation systems are often much deeper than the foundations of previous structures as well as those of neighboring properties. As a result, construction activities require the excavation of deep pits, often with vertical faces. Damage to adjacent properties can result throughout this process from

108 Comprehensive General Plan, City of Evanston, p. 33-4, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

inadequately shored excavation walls, or from vibrations due to demolition, excavation, or pile driving activities.

….

Construction in these circumstances requires a number of precautions to minimize or prevent damage to adjacent properties. These precautions should include:

- *Preconstruction surveys which include photographs, videos, and documentation*;
- *Coordination and permission with the adjacent property owners* to install tiebacks below their foundations;
- Careful planning and sequencing of the construction;
- Borings and a geotechnical report;
- A determination of water table and underground hydrology;
- Dewatering and monitoring of dewatering;
- Underground utility stakeouts;
- Frequent periodic monitoring and surveys of adjoining buildings during construction;
- Frequent vibration monitoring;
- Engineered shoring plans which consider:
    - Surcharge loads from adjacent structures, soil stockpiles or equipment;
    - Allowable/anticipated movement/serviceability of temporary wall systems;
    - Geotechnical assumptions from a geotechnical report;
    - Water table and dewatering;
    - *Temporary and permanent support of neighboring structures such as underpinning*;
    - Vibration risk assessment

Even with implementation of the above precautions, it is still possible that destabilization of the retained earth wall may occur due to unforeseen conditions.

….

There are several ways that harmful vibration levels due to construction activities can cause damage to neighboring properties and structures. The most common include: damage to a structure directly from the energy of the vibration source, resonant structure response (i.e. the natural frequency of the building and soil matches the frequency of the ground movement causing uncontrollable shaking) and/or the densification of soils supporting a building structure resulting in

> settlement. All these vibrational effects can result in cosmetic damage and/or *irreparable structural damage*.[109]

Considering the potential severity of damage to the structure of its designated Historic Landmark, including "irreparable structural damage," we seeks to understand what – if any – of the above steps HODC has undertaken to ensure that damage to our building does not occur. During a meeting with developer Richard Koenig, we requested information on boring soil samples pertaining to the structural integrity of the Parcels and adjoining land, about which he said he received additional information. Despite Mr. Koenig's promises to provide copies of said boring samples, as of today's date, he has not done so. Provision of these boring samples is the bare minimum that should be required of HODC related to demonstrating the ability of buildings surrounding the Parcels to absorb the vibration and excavation of construction and the weight of the building post-construction as it settles. Indeed, if:

> "construction activities which include potential damaging vibration are scheduled to occur on a specific job site, it is imperative that one or all of the suggested measures below be implemented: (i) [a] well-planned due-diligence investigation *and project coordination of neighboring properties*…; (ii) *a pre-construction survey of all adjoining structures*; (iii) a geotechnical report that clearly identifies the underlying soil strata and geologic conditions; (iv) specifications for the control of construction vibrations; (v) pre-planning to avoid potential vibration damage by selection of alternate construction equipment; (vi) construction logs of equipment and approximate time frames of construction; (vii) vibration monitoring by a licensed testing agency; and (viii) building movement monitoring of neighboring structures by a licensed testing agency. Prior to construction activity, it can be desirable to establish a benchmark, especially if there is pre-existing damage such as settlement or structural deficiencies to neighboring structures. *This particularly holds true if the building is older and would have a tendency for a lower tolerance of vibration induced damage*.…Direct energy from vibration which can damage structures is a function of the type of construction equipment or method used (i.e. blasting), *the distance away from the source*, along with the type of soil present.[110]

Simply put, our concerns relating to the excavation of a five-story building directly at the property line, wherein there will be less "distance away from the source" of the vibrations that are highly likely to cause damage to a "building [that] is older and would have a tendency for a lower tolerance of vibration induced damage," are myriad. We accordingly make several requests: (1) denial of the setback Variation request at our east property line, and (2) even with a denial of this

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109 "Structural Damage from Adjacent Construction Projects," Anthony Volonnino, Aug. 15, 2017, *located at*: https://www.robsonforensic.com/articles/structural-damage-vibration-adjacent-construction-expert (emphasis added).

110 *Id.*, *located at*: https://www.robsonforensic.com/articles/structural-damage-vibration-adjacent-construction-expert (emphasis added).

setback Variation request, implementation of the studies detailed above to ensure continuing structural integrity of our Historic building, to be shared with us.

We also raise again to the LUC, HODC's pattern of failing to work with neighbors, residents, and neighborhoods related to legitimate and critical concerns such as those related to structural integrity listed here. It is clear that "project coordination [with] neighboring properties" is critical for successful outcomes related to subsidence and structural integrity in these situations. However, HODC has – to our knowledge – taken no steps to facilitate project coordination with us regarding structural and damage potential related to the HODC Proposal.[111]

Denying the increased footprint size would offer less potential for subsidence and foundation issues related to settling of our adjoining property.

iv. The Variance in setback at our east property line will expose our employees to greater amounts of airborne hazardous waste during construction.

In permitting the area to be excavated for foundation supports and a subterranean garage directly at the east property line arguably exposes those on the adjoining property to greater amounts of airborne environmental hazards due to immediate proximity. During construction, environmental toxins that become airborne will essentially be pumped directly into our air vents, exposing all employees, some of whom have lung disease directly affected by environmental exposures and air quality, to health hazards. Our HVAC system is not equipped to adequately and thoroughly filter out these hazards.

Indeed, we would like to understand how HODC and Mt. Pisgah anticipate remediation of the site. In its November 6, 2017 Letter of No Further Remediation, the Illinois EPA states that the "Remediation Site is restricted to industrial/commercial use."[112] As part of the "preventative controls" listed by the Illinois EPA, the agency requires that:

> "[a]t minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSH

111 *See, e.g.* The Village of Wilmette, Additional Agenda Material, dated Apr. 9, 2018, *located at*: https://www.wilmette.com/download/agendas_and_minutes/village_board/packets/archive/2018/additional_agenda_material/Additional-Agenda-Material-04-10-18.pdf (asserting pattern of practice by Mr. Koenig in which community members are not considered or involved in planning process, but rather are presented with all-or-nothing options related to HODC proposed projects); Minutes of May 22, 2006, Planning and Development Committee, attached hereto as Exhibit O (asserting same: "the Developer expressed little or no interest in addressing the harm to the neighborhood, and did not agree to any corrections to reduce this harm….It is striking that the Developer still proceeded as if that was the only concern which deserved his attention and continued to ignore all the deficiencies regarding the impact on the neighborhood, which the Plan Commission found would result….Why are the legitimate concerns and needs of this neighborhood so easily disregarded?")

112 *See* Illinois Environmental Protection Agency, No Further Remediation Letter to E-Town Community Ventures, LLC, at p. 2, dated Nov. 6, 2017, and attached hereto as Exhibit T.

> regulations…, state and local regulations, and other USEPA guidance. Soil excavated below asphalt pavement must be returned to the same depth from which it was excavated or properly managed or dispose in accordance with applicable state and federal regulations."[113]

These statements raise serious health concerns not only for workers, but for neighbors such as our employees, who will be directly exposed to hazardous waste and accompanying airborne hazards. Presumably, workers' safety plans will include implementation of individual respirators with appropriate filtration attachments for particulates, chemicals, and other hazards, such as Self-Contained Breathing Apparati ("SCBA").[114] Adjoining neighbors breathing this same air will not be offered the same protections, nor would it be practicable to implement them in an office environment. No commercial HVAC system rises to the level of a SCBA in its filtration capacities. Thus we request that the LUC consider in its setback Variation calculus the safety of our employees as excavation takes place directly next to our offices.

v. The rear/north setback Variation will effectively prevent construction of our intended rear garage/affordable dwelling building, due to increased alley congestion and an increased setback that allows for zero privacy.

A Major Variation in the rear/north setback of the HODC Proposal – when coupled with construction of a rear parking garage entry/exit – will unequivocally substantially increase alley traffic and pedestrian/bicycle usage of the alley, and related safety concerns from congestion, substantially increasing noise and decreasing privacy. The alley behind the Parcels and our building is often traversed by our employees and visitors, as well as ETHS students and those attending programming at the Y.O.U. building. To add to this mix a parking garage entrance for 44 units with zero feet of setback, accessed from the alley, will substantially burden the property owners who already share this alley, and neighboring residents who rely on the T-shaped alley as a cut-through to avoid common standstill traffic along both Dodge Avenue and Church Street.

Our use and enjoyment of our property will be substantially inhibited if – as it is likely – we cannot construct our accessory structure on the rear/north portion of our property. If HODC is permitted to construct its development up to the north property line, it will make our intended structure unlikely to appeal to any potential renters, due to proximity, traffic, noise, lack of soft surfaces to absorb noise, and lack of privacy. The inability to construct the garage/dwelling will result in an inability to provide affordable housing to Evanston residents as intended, to add further to the City tax base through the project, and to maximize property value for resale in this regard. Were HODC to construct the rear portion of its structure as zoned, it would offer: additional room for traffic, pedestrians, and cyclists; a decrease in alley congestion; decrease in wear and tear on an alley that must be maintained by the City at the City's own cost; and a reduction in

113 *Id.*at, at p. 2, dated Nov. 6, 2017, and attached hereto as Exhibit T.

114 *See, e.g.* Centers for Disease Control, Respirator Fact Sheet, *located at*: https://www.cdc.gov/niosh/npptl/topics/respirators/factsheets/respfact.html (explaining "air-purifying respirators" to filter chemical gases, SCBAs, and other firms of respirators to combat extreme environmental hazards).

vehicle/pedestrian/bicycle crash safety concerns. It would also offer some semblance of privacy for future residents of the proposed dwelling units at the rear of our property.

2. "The requested Variation is in keeping with the intent of the zoning ordinance";

    a. *The proposed density due to zero setbacks contravenes the intent of the Zoning Ordinance of the oWE West Evanston Overlay District and West Evanston Neighborhood Sub-Area #3.*

As with the height Variation request, an increased footprint on each of the east, west, north, and south sides of the building will add extreme density to the area, especially when coupled with the fact that the setback Variations will extend below ground and above ground. We incorporate and restate our arguments above regarding increased density related to height, as they mirror our concerns of increased density resulting from Major Variation requests that require no setbacks on any of the development's four sides. The impact on density due to the requested setback Variations will be palpable and burdensome to the neighborhood and community in the form of traffic, congestion, parking, and pedestrian and bicycle safety due to increased traffic and congestion, all in contradiction of the General Comprehensive Plan and the spirit and intent of applicable Zoning regulations.

Within the City's Final Report regarding its Preferred Plan for the West Evanston Neighborhood (Sub-Area #3), the listed goals include:

- "The streetscapes throughout the limits of Sub-Area #3 and beyond should incorporate typical cross sections that conform to City standards, incorporate substantial landscaping and other greening elements, and pedestrian-scaled street lighting and furniture;"
- "The streetscapes should incorporate and support the City's overall trail and bicycle path networks;"
- "The streetscapes should be programmed with art, cultural and other elements that infuse them with the special character of the West Evanston community;"
- "*New buildings proposed for Sub-Area #3 should be designed and built in recognition of the important role that new buildings play in defining the future of their neighborhoods.* West Evanston sees itself as a quality community of choice, and deserves such buildings;"
- "*New buildings and related infrastructure improvements proposed for Sub-Area #3 should be designed and built subject to the series of development standards and sustainable design best practices that will accompany the Neighborhood Plan*;"
- "*All new development proposed for Sub-Area #3 should be designed and built in the spirit of sustainable development, and appropriate landscape, site design, materials, and energy and resource efficiency strategies should be investigated*."[115]

115 West Evanston Final Report, City of Evanston TIF District Sub-Area #3, West Evanston, at p. 5-6, *located at*:

Again, the City's Comprehensive General Plan prioritizes the protection and enhancement of the "traditional character of neighborhood business districts; carefully examine proposed design changes using the Zoning and Sign Ordinances, and site plan and appearance review."[116] HODC will entirely change the character of the neighborhood by adding such an extreme increase in footprint. The scope and scale of the development's footprint will make the building stand out and will altogether make a primarily residential neighborhood visually appear to be a commercial one. It will dominate and overshadow surrounding buildings and make the neighborhood appear claustrophobic. Evanston appears more and more like an extension of Chicago. Rather than focusing on achieving Evanston's goal of striking a balance of an urban-suburban blend, the proposed setback Variations will make the Church Street/Dodge Avenue area appear distinctly urban in contravention of the stated intent and spirit of the City.

It is clear that the City has contemplated development of the Church Street/Dodge Avenue corridor in a variety of contexts, and that the City has expressed support for developments that generally adhere to the parameters of the Zoning Code as it relates to scope and height. We request that the LUC reflect the City's priorities in its application of the Standards for Approval at issue here.

i. The front/south and rear/north setback Variation Requests will create pedestrian, bicyclist, and vehicle safety issues contrary to the intent of the Zoning Code.

In reviewing the HODC Proposal, DAPR stated that "[b]uilding foundations at zero lot line is a concern."[117] We agree.

The increased square footage proposed by HODC not only increases density, but also removes extra space used by pedestrians and cyclists to navigate the sidewalk and the alley. The increased front and rear/alley footprints will reduce the safe space in which pedestrians, especially students commuting to ETHS, will be able to safely navigate the Church Street sidewalk and especially the alley to the rear/north of the Parcels. Indeed,

> "[u]nlike many other communities, a high percentage of [Evanston] residents are bicycle riders, public transit users, and walkers. This means [ ] that the street system is not used by cars alone. Evanston should support the safety and convenience of these alternate means of transportation when making street and sidewalk improvements."[118]

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https://www.cityofevanston.org/home/showpublisheddocument/4022/636224209248000000 (emphasis added).

116 Comprehensive General Plan, City of Evanston, p. 42-3, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000.

117 Memorandum of 1/5/23, at p. 11, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000

118 Comprehensive General Plan, City of Evanston, p. 05, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

HODC additionally proposes planters in front of its development, which will extend 2' into the sidewalk. To request a Variation of 0' setback while also adding permanent granite planters that encompass 2' of sidewalk space demonstrates a lack of respect for the safety of area pedestrians, especially those who require additional room to navigate due to mobility aids and wheelchairs. Imagine the proposed massive structure, at the Church Street sidewalk line, with two blockages impeding 2' of needed sidewalk: anyone with mobility issues, utilizing a stroller or walking cart – including mail carriers, students walking their bicycles, etc. – will encounter a bottleneck and safety hazards posed by either running into the planters or having to step into the road to avoid them. We raise this point to illustrate that it is as if HODC designed its proposed development in a vacuum, rather than working to find a way to creatively design a building that respects the character, feel, density, and navigability of the neighborhood and area while also providing needed housing.

Again, the Comprehensive General Plan lists its "Objective" to "[e]ncourage creative adaptive reuse of properties available for redevelopment using *zoning standards and the Site Plan and Appearance Review process to protect historic character*."[119] Among the "Policies/Actions" to achieve this Objective are:

- "Encourage new developments to complement existing street and sidewalk patterns";
- "Encourage the preservation and creation of neighborhood open and green space";
- "Minimize the adverse effects of such circumstances as traffic and parking congestion or incompatible hours of operation as part of City technical assistance or zoning/site plan review of businesses and institutions proposing expansion or relocation to sites adjacent to residential areas"; and
- "Continue assisting neighborhoods to recognize and preserve their own historically significant assets."[120]

The Major Variations related to setbacks, particularly the front/south setback Variation, fail to "complement existing street and sidewalk patterns," to preserve any open or green space, to minimize the effects of congestion next to a residential area, or preserve historically significant assets. Instead, they alter the streetscape, interfere with street and sidewalk patterns, create congestion that increases pedestrian and bicyclist safety risks, and eliminate any potential for green space through room for landscaping or plantings. The lack of setback on all sides of the building uses every possible square inch of a property which would better fit the character of the neighborhood and General Plan if it incorporated green space and prioritized pedestrian and bicyclist safety.

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119 *Id.*at p. 25, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

120 *Id.*at p. 25-7, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

3. "The alleged hardship or practical difficulty is peculiar to the property"

We restate by reference here our arguments relating to the requested height Variation above, as they apply equally to the four Major Variation requests related to setbacks. To briefly restate, HODC's Proposal on a "nearly vacant lot" is one with the more possibilities than any other. The five Parcels at issue can be redrawn in any manner that HODC and Mt. Pisgah see fit. To redraw the Parcels as HODC desires and then attest that the only way to use these Parcels effectively is to implement *four* Major Variations in setback to develop every square inch of the redrawn Parcels is insincere at best. The HODC proposed parcel could be drawn to encompass more of the empty lot area at 1801-1805 Church Street, rather than needing to directly abut the east, north, and south property lines. HODC could also eliminate certain amenities or the number of dwelling units, as described above.

There is therefore nothing "peculiar" to the property that is causing any hardship or difficulty on the part of HODC. Rather HODC has created its own hardship or difficulty here.

4. "The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out"

We again incorporate and restate by reference our arguments above regarding the height Variation. HODC will suffer mere inconvenience, as opposed to particular hardship or practical difficulty, if it follows the Zoning regulations. HODC states that the "building would not be able to function and serve its community if the building were to be constructed in strict conformance with Zoning Ordinance requirements since there would not be adequate space for [amenities]."[121] We disagree. HODC had the ability and opportunity to design the proposed development in infinite ways, including with fewer dwelling units, fewer dwelling unit types (i.e., only 2- and 3-bedrooms), smaller dwelling units, fewer or different amenities, smaller commercial spaces, smaller amenity spaces, etc. We reference here our remaining arguments above, which apply to footprint and scope of setback Variations just as they do to the proposed height Variation.

5. "(a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits";

Each of our arguments above regarding HODC's proposed height Variation apply to the four Major Variations requested for setbacks. By redrawing the Parcels as it desired to meet its own interests, HODC has ensured that it will extract the maximum amount of additional income

121 HODC Requested Variations Application, p. 4, *located within Land Use Commission Packet, Jan. 11, 2023 at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

possible from the proposed development. While it is possible that the desire to extract additional income from the development – by using every inch of the Parcel it drew itself – may not be the sole motivator for HODC, it is not outweighed by Public Benefits that result directly from the requested setback Variations.

The Public Benefits to be considered are:

a. "Preservation and enhancement of desirable site characteristics and open space"

The proposed dramatic increase in footprint does not preserve and enhance characteristics of the site, but will make what should naturally appear in the space feel congested, claustrophobic, and entirely urban (rather than suburban) in its spacing.

b. "A pattern of development which preserves natural vegetation, topographic and geologic features"

Approval of the setback Variations will ensure no additional natural vegetation and topographic features have room to exist.

We additionally incorporate here our arguments regarding subsidence due to proximity of the proposed Variation on our east property line, including the failure of HODC to carry out sufficient studies to ensure that topographic and geologic features remain undisturbed during and post-construction.[122]

c. "Preservation and enhancement of historic and natural resources that significantly contribute to the character of the City"

Approval of the setback Variation requests will cause probable damage to historic and natural resources that significantly contribute to the City's character, through a greater possibility of subsidence, and will overwhelm the appearance of surrounding properties in a manner that detracts from goals of preservation and enhancement.

d. "Use of design, landscape, or architectural features to create a pleasing environment or other special development features"

The footprint of the building due to setback Variations will disrupt the environment and fabric of the area. The HODC Proposal implements almost no landscaping or green space, and incorporates no architectural features that are common to the neighborhood as it currently exists, especially as it relates to setbacks.

122 *See* Structural Damage from Adjacent Construction Projects," Anthony Volonnino, Aug. 15, 2017, *located at*: https://www.robsonforensic.com/articles/structural-damage-vibration-adjacent-construction-expert.

e. "Provision of a variety of housing types in accordance with the City's housing goals"

While the HODC Proposal does provide housing, it can do so without the requested setback Variations. We reincorporate here additionally our arguments listed above, related to home ownership as an integral element of affordable housing.

f. "Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation"

No blighted structures are being removed in this scenario. Instead, a church which has been in Evanston for many years, is being demolished to accommodate this development.

g. "Business, commercial, and manufacturing development to enhance the local economy and strengthen the tax base"

Any of these additions to the tax base would exist without the marked increase in footprint requested in the setback Variation requests.

h. "The efficient use of the land resulting in more economic networks of utilities, streets, schools, public grounds, buildings, and other facilities"

Again, any use of the land – whether or not deemed efficient – would exist absent the marked setback Variations.

i. "The substantial incorporation of generally recognized sustainable design practices and/or building materials to promote energy conservation and improve environmental quality, such as level silver or higher LEED (leadership in energy and environmental design) certification".

Once again, none of these goals are moved forward by increasing the footprint in such a drastic manner through four extreme setback Variation requests.

6. <u>"The alleged difficulty or hardship has not been created by any person having an interest in the property"</u>

We again submit that HODC has indeed created its own alleged difficulty or hardship 'necessitating' the four Major Variations in setback. HODC has submitted that "[b]uilding new affordable housing with retail on a nearly vacant lot will enhance the overall community as well as this block. The hardship is created by the limitations of the parcel itself which is located in a built-out community and part of a larger redevelopment effort to improve the neighborhood."[123]

We assert instead that there are not limitations imposed by the "parcel itself," as five parcels are at issue, which can be redrawn and divided in a wide variety of manners which would not necessitate the scope or scale of the setback Variation requests. HODC could additionally alter its amenities, dwelling units, dwelling sizes, etc. to offer alternative housing proposals that do not necessitate Variations in setbacks on all four sides of the proposed building. In fact, it appears that

123 HODC Requested Variations Application, p. 4, located within Land Use Commission Packet, Jan. 11, 2023 at: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000

HODC has entertained other versions of this project at a smaller scale, and indeed did so in 2006, when that smaller proposal was deemed too dense for the area.[124] We therefore restate and incorporate here our arguments related to this Standard for Approval as above regarding the Major height Variation request.

7. "The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation."

It is clear that the four requested Major Variations in setback do not require the least deviation among the feasible options identified by HODC. HODC asserts it has evaluated "many alternatives" and deemed this "the best possible project for the area."[125] This singular determination by HODC that it understands what constitutes the "best project for the area" is presumptuous, while also failing to provide any substantive answer relating to the Standard that HODC has the burden to prove.

The burden is not on us, or other residents, constituents, business owners, or neighbors, to determine whether this project involves the least possible deviation from the applicable ordinances; the burden is on the developer to so prove. HODC has not done so. Its generic and presumptive statement that it has evaluated multiple alternatives and determined this to be the best project for the Parcels does nothing to demonstrate *why* or *how* the project involves the least possible deviation from the Code. It does not even prove *if* it involves the least possible deviation by describing or providing information on its "many alternatives." We request, therefore, that the LUC place the burden on HODC to demonstrate the way in which its proposal deviates the minimal amount from the required Zoning Code.

C. Major Variation #3: Increase the maximum permitted impervious surface coverage from 90% + 5% semi-pervious surface area to 99.7% of lot area

As part of its Proposal, HODC seek to increase impervious surface area to almost 100% (hereafter "Permeability Variation").

We have extreme concerns about a Major Variation that seeks to cover almost 100% of a property lot in impervious materials. Impervious coverage is part and parcel of the setback Variation requests also made by HODC, in that where setbacks are removed, impervious surfaces are added. Thus, by and through this objection to the Permeability Variation, we object again to the four Variations in setback requested by HODC.

124 *See* Exhibit G, showing renderings from the Mt. Pisgah Ministry website that are smaller in scale than those currently up for consideration before the LUC.

125 HODC Requested Variations Application, p. 4, *located within Land Use Commission Packet, Jan. 11, 2023 at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

1. "The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties";

The requested Permeability Variation would have a significant negative impact on our use and enjoyment and property value of our property. Over the years, including before we purchased 1817 Church Street and implemented a variety of water management solutions, our building experienced continued flooding and water issues.[126]

In continuing efforts to mitigate the threat of water damage, we have relied on our exterior green space, lining and peppering it as fully as possible throughout with additional, absorptive plantings, to absorb excess water in an environmentally-friendly manner.[127] The large-capacity raised garden beds installed atop some of the only impervious surfaces were intended to serve two purposes: to absorb additional stormwater where the underlying cement could not, while also providing fresh local produce to those in Evanston who would otherwise be unable to access it. Where plantings are impracticable because the area requires use by our employees, the courtyard design utilizes permeable brick surfaces to ensure sufficient stormwater drainage.

Our water management techniques cannot, however, address our ADA-access ramp that runs along the courtyard's west side wall from the parking pad to the building's rear door.[128] The ramp initiates at the alley at a high grade, ending at our rear door at a low grade. The grading itself drops at least twelve inches from the north to the south ends of the courtyard.

No ADA ramp or other access may be placed at our front/south entrance facing Church Street, due to the restrictions on façade variation required by the City's Historic Preservation Commission. Even were we to dig out our entire rear courtyard and regrade the area, ADA accessibility to our rear/north door would still necessitate a ramp that is graded from a higher point at the alley to a lower point at our ground floor. The entryway to the rear of the building is simply lower than that of the alley. This is the result and reality of a nearly century-old building constructed prior to the implementation of zoning codes, building permits, and standards for construction. Thus, we have worked within the confines of this grade differentiation. The result of the necessary ADA ramp grading is that water flows naturally and freely from the alley to the our rear door, which must be addressed with the use of sandbags and other physical blockage measures. Even with the use of sandbags, water periodically reaches over the low rear-door threshold.[129]

Within its evaluation of the HODC Proposal, DAPR expresses concerns about the grade change proposed by HODC in its plans. DAPR states "[g]rade change between the front and rear of the parking is a concern. Applicant proposes addressing the grade change by the parking ramp and stairs/elevators….These details will be reviewed at the building permit stage."[130] Clearly the

126 *See* Exhibit I, K, and L (photographs of water issues and first-floor floor replacement by Jackson LLP).
127 See Exhibit J.
128 *See* Exhibit N.
129 *See* Exhibit I (demonstrating low rear/north threshold entry); *see also* Exhibit N.
130 Memorandum of 1/5/23, at p. 11, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000

increase of impervious surfaces to almost 100% will be problematic especially when paired with the HODC grade change referenced by DAPR.

We would like to understand exactly how potential flooding will be mitigated with HODC's proposed permeability and grade changes. While HODC expresses plans for an underground stormwater vault/tank, we cannot imagine that flooding of our ground floor will not be exacerbated by the Permeability Variation to the point that our building will again experience regular water infiltration to its interior.

Indeed, the stormwater management details are slated to be reviewed at the building permit stage. It is problematic for adjoining properties that HODC requests approval of such an extreme Permeability Variation, while the solutions to mitigate such Permeability Variation are not to be addressed and evaluated until a later stage. We would like to understand now – not later after such a substantial Variation request has been allowed – how flooding to adjoining properties, including ours, will be adequately addressed. We would like to view HODC's impact studies related to stormwater management, the feasibility of successful stormwater management through the proposed underground stormwater vault, and other relevant materials.

We would also like to understand whether the City's stormwater sewer system can handle the overflow, even if water is released from the underground vault at non-peak hours. We are repeatedly being told that HODC has evaluated these issues and that we should accept that "we will be fine." We do not and will not. Instead, we respectfully request more information and documentation demonstrating the efficacy of the proposed stormwater management systems.

Despite our many mitigating strategies, we have faced property damage from flooding over the years. The ground floor of our building was refinished and remediated to address significant flooding damage by the prior owner of our building.[131] After we purchased the building – and despite the previous building owner's attempts to control stormwater infiltration – we have continued to experience water infiltration through our rear/north entryway. As a result, post-purchase our floors experienced warping, separating, buckling, cupping, and peaking, necessitating a full replacement of the flooring on our ground floor.

While the replacement of 2,000 square feet of wood flooring, sub-flooring, and underlayment was a large financial undertaking for us, the additional cost of the floor replacement was less visible: all of our employees were required – for a period of months – to work remotely in order to accommodate the flooring replacement. We additionally had to invest in movers to empty offices for the work, to shuffle stored office furniture from room to room while the work took place, and to replace all office furniture after flooring completion.[132]

To be clear, the second floor of the building was unusable at the time of the first-floor flooring replacement, so neither employees nor furniture could be relocated upstairs. While working remotely since the onset of the COVID-19 pandemic has become more commonplace and

131 *See* Exhibit I (demonstrating significant damage from flooding, including substantial mold growth requiring high-cost remediation).

132 *See, e.g.* Exhibit L (showing office furniture stored in office lobby).

possible in office situations, operating the headquarter office of a law firm in a fully-remote capacity is not an ideal endeavor, as many of our cases and projects require that multiple employees and attorneys are tasked on one matter, and ideally should be working together in person to address such projects effectively and efficiently.

We are thus extremely concerned about the high likelihood of increased water infiltration on our ground floor due to a remarkably high increase in proposed impervious surfaces extending up to the shared property line, especially when considered with the grading concerns raised by DAPR. Our use and enjoyment of the property has historically – and repeatedly – been affected by stormwater infiltration and flooding. We continue our practice of sandbagging the rear door during storms – an accessibility hazard on its own that requires diligent monitoring and vigilance – and operate dehumidifiers around-the-clock, and we are concerned that even these practices will not keep the increased water out of our ground floor. We cannot sustain increased stormwater management issues. The possibility of being faced with unusable ground floor offices a second time, as both floors of offices are needed to accommodate the number of employees who we now employ, is harrowing. We place before the LUC our concerns in hopes that it recognizes the direct effect the Permeability Variation will have on our use, enjoyment, and property value of our adjoining property.

2. <u>"The requested Variation is in keeping with the intent of the zoning ordinance"</u>

The Design and Project Review Committee ("DAPR") was created to "establish a procedure for the review of proposed development by taking into account the relationship of the new development to its surroundings with review and discussion by members of city staff and community members from various disciplines."[133] The "purpose of Design and Project Review (DAPR) is to go beyond the basic zoning requirements and to deal with the site details on which zoning and other codes are silent."[134] We would like to understand more of DAPR's considerations related to the Permeability Variation before the LUC here. However, having combed through DAPR agendas spanning between 01/2019 and 06/21/2022, we were unable to locate DAPR Agendas or Packets related to 1801-1815 Church Street and 1708-1710 Darrow Avenue. The DAPR Agendas and Packets inexplicably cease on June 21, 2022, and we presume that DAPR's consideration of the HODC Proposal took place after this time.[135]

The only DAPR comments to which we therefore have access are those included within the HODC Staff Memorandum, dated 1/5/2023. We raise again here DAPR's concerns related to property grading when considered with the Permeability Variation.

133 City of Evanston, Design and Project Review Committee, *located at*: https://www.cityofevanston.org/government/boards-commissions-and-committees/design-project-review-committee.

134 *Id.located at*: https://www.cityofevanston.org/government/boards-commissions-and-committees/design-project-review-committee.

135 *Id.located at*: https://www.cityofevanston.org/government/boards-commissions-and-committees/design-project-review-committee (showing last date for a DAPR Agenda and Packet to be a Canceled DAPR Meeting on 6/21/2022).

Without further information from DAPR, we turn to other City guidelines, ordinances, and stated goals. An "Impervious Surface" is defined by the City as "[n]atural or manmade materials through which water, roots, or air cannot penetrate. This type of material prevents the movement of surface water down to the water table."[136] Evanston acknowledges that:

> "Today, in the face of more intense rainfalls and an uncertain future climate, the City's stormwater challenges are changing. The City must be in a position to continue to provide its residents an acceptable level of protection against current and future stormwater events."[137]

Even absent continuing climate change, "[s]tormwater management has caused significant problems throughout Evanston's history. Most of Evanston was originally marshy, and parts of current developed areas were underwater part of the year….stormwater continues to create challenges."[138]

In 2019, Evanston published its "Stormwater Management Guide."[139] The City's stated goals include "[m]itigat[ion of] stormwater-related safety issues and property damage under current and future conditions," "[b]e a leader in stormwater management best practices," and "[m]aintain compliance with stormwater regulations."[140] The City publication highlights initially that "the population density of Evanston is far higher than Cook County's average….Evanston is very urban and very densely populated."[141] Indeed, despite thorough, expensive, and forward-thinking stormwater management solutions implemented recently (and historically), stormwater management issues exist. Specifically, when the Tunnel and Reservoir Project (TARP) system is full and the North Shore Channel (into which the "excess flow of combined sewage and stormwater overflow") is "approaching its high level," Evanston and the Metropolitan Water Reclamation District (MWRD) "sewer outfalls are submerged."[142] "Under these conditions, Evanston's and MWRD sewers become surcharged, increasing the risk of local flooding."[143]

As part of its intended action plan related to "stormwater best management practices," the City seeks to implement "green infrastructure" throughout. The guidelines for evaluation of recommended green infrastructure include whether or not "streetscape projects," street

136 Municipal Code Section 4-24-1.
137 *See* City of Evanston Stormwater Management Guide, *located at*: https://www.cityofevanston.org/government/departments/public-works/stormwater-management-guide.
138 City of Evanston, Stormwater Detention, *located at*: https://www.cityofevanston.org/government/departments/public-works/public-outreach/evanston-water-sewer-service/stormwater-detention#:~:text=The%20Evanston%20Stormwater%20Control%20Ordinance,release%20into%20the%20sewer%20system.%E2%80%9D.
139 "Stormwater Management Guide," City of Evanston, 2019, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/57406/637251492610230000.
140 *Id.*at p. 2, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/57406/637251492610230000.
141 *Id*.
142 *Id.* at p. 4-5.
143 *Id.* at p. 5.

resurfacing, parking lots, alleys, and parks utilize: (i) "porous pavement," (ii) tree boxes/cells, (iii) rain gardens; (iv) bioswales, and (v) infiltration trenches.[144] As we know, green infrastructure does not resolve stormwater management in privately-owned plots. Within private properties, the City recommends green roofs, rain harvesting, downspout disconnection, green walls, and sustainable backyards.[145] Evanston also plans to "make every effort to effectively grow the urban canopy and maintain greenspace," while also "eliminating infiltration and inflow (I/I)," which "contributes to both basement back-ups and combined sewer overflows."[146] We highlight for the LUC the following language from the City:

> "For infiltration, the City has been inspecting combined sewers and sewer structures to determine their structural and functional condition. When it is determined that the system is currently failing or at risk of failing, the City has been performing pipe and structure lining. Currently the City rehabilitates approximately two miles of combined sewer pipe and 50 structures per year.
>
> To address inflow, the City of Evanston has been adding relief sewers throughout the City. This sewer removes roadway runoff from the majority of our combined sewer system and reduces risk of basement back-ups. Once the [new] hydraulic model is complete [ ] the City will be able to identify additional locations that are good candidates for relief sewer extensions. In addition the City recommends disconnecting downspouts from the combined sewer system.
>
> ….
>
> Upon the completion of the stormwater modeling…*the City will have defined goals that will drive the development of policies and regulations.* At this time the City will seek public engagement opportunities to direct the discussion of policy in the following areas:
>
> - *Impervious Area Restrictions (Commercial/Residential)*
> - Detention and Volume Control
> - Combined Sewer Overflows.[147]

The requested increase in impervious surface coverage of the Parcels by HODC follows *none* of the above recommendations or guidelines.

Additionally relevant here is the City's goal regarding best management practices and measurable goals regarding "Post-Construction Storm Water Management in New Development and Redevelopment," wherein the City states that existing Evanston Stormwater Control Ordinances should be enforced to "address and minimize stormwater runoff from new development and redevelopment projects." [148] While in theory HODC may be able to meet the specific technical

144 *Id.* at p. 9-10.
145 *Id.* at p. 10.
146 *Id.*
147 *Id.* at p. 11-12 (emphasis added).
148 *Id.* at p. 38.

requirements of the Evanston Stormwater Control Ordinances, its Permeability Variation request does not meet the Zoning Code, instead adding to the surface area for which the Stormwater Control Ordinance must be followed. In other words, an increase of impervious coverage on the lot to almost 100% requires compliance with the Stormwater Control Ordinance to a greater extent, raises the risk of backflow and overflow from any stormwater control system implemented by HODC, and most importantly, increases the amount of stormwater to be detained by the underground holding vaults. Thus, HODC will hold a larger amount of water within their underground tanks, and each time HODC releases the underground holding vaults into the City's fragile and overburdened sewers (as described above), they risk overburdening the sewer system causing local sewer failures and flooding.

We submit that – rather than operating in conformance with the intent of the zoning code – the Permeability Variation instead poses a burden and potential difficulty in relation to Evanston's Stormwater Control Ordinances and its Stormwater Management Guide.

3. "The alleged hardship or practical difficulty is peculiar to the property"

As stated earlier, a decrease in setbacks on all four sides results in a corresponding increase in impervious surface coverage. The property can be drawn or designed in any number of ways that comply with permeability requirements. Thus, for the reasons listed regarding the four Major Variations in setback, under this Standard for Approval (3), we assert that any alleged hardship or practical difficulty regarding the Permeability Variation is *not* peculiar to the Parcels at issue.

4. "The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out";

Once again, our arguments that HODC's Permeability Variation request does not meet this fourth Standard for Variation parallel those listed within the relevant section regarding Major Variations in setback.

5. "(a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits"

As under our arguments related to the Major Variations in setback, HODC appears to be focused on developing every square inch of the Parcels it has itself redrawn, to maximize additional rental income and management fees. Public Benefits here will not result from a remarkable increase in impervious surface coverage. Rather, the reverse will occur. The HODC Proposal removes space for green infrastructure, drainage, rain gardens, and any stormwater overflow space. It will

arguably add undue burden to an aging municipal stormwater sewer system, which City sewer system HODC will not be tasked with maintaining. None of the Public Benefits for consideration here are moved forward by an increase in impermeability. Accordingly, the LUC should find this Standard for Approval related to the Permeability Variation request remains unsatisfied.

6. "The alleged difficulty or hardship has not been created by any person having an interest in the property"

Once again, we restate that the alleged difficulty or hardship here has indeed been created by the applicant HODC, which redrew Parcel property lines to its needed parameters and then argued that those parameters were insufficient.

7. "The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation."

Finally, and again for the reasons above under this Standard for Approval regarding setback Variations, the HODC Proposal fails to demonstrate how, why, and in what manner it provides the least deviation from the Zoning Code. We submit to the LUC that the HODC Proposal fails to so demonstrate because it simply *cannot* demonstrate that its deviation from the code related to the Permeability Variation (and the setback Variation) is the smallest possible deviation.

D. Major Variation #4: Eliminate the required loading berth.

The final Major Variation request we address within these materials is the HODC request that the loading berth requirement be eliminated ("Loading Berth Variation").

1. "The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties"

Elimination of a rear loading berth requirement will substantially affect our ability to use and enjoy our property. HODC proposes, instead of a rear/alley loading berth, a loading dock on Church Street, deemed a "Major Street" or "Arterial Street" under Evanston's Street Classifications.[149] An Arterial or Major Street is a:

> "primary traffic route carrying the largest volumes of traffic through the community. It is their length and connection with major traffic generators that distinguishes these from other streets. In Evanston, arterial streets are generally located every half mile and carry at least 10,000 vehicles a day."[150]

149 Comprehensive General Plan, City of Evanston, p. 93, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

150 Comprehensive General Plan, City of Evanston, p. 93, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

HODC's Loading Berth Variation request proposes removing two much-needed parking spaces along Church Street, substituting instead a loading dock on this Major/Arterial Street.[151]

Accordingly, we ask that the Land Use Commission imagine this loading dock's use, wherein: a residential development consisting of 48 units – four of which are commercial units – receive deliveries directly from Church Street, an Arterial street. Among these 48 units, there are a number of two- and three-bedroom units, in which at least two to three individuals will reside. We ask the LUC to extrapolate and picture the number of daily deliveries and related stops that are likely to occur directly within this extremely busy thoroughfare.

Such loading dock use would likely include, for forty-four units (most of which are 2- to 3-bedroom) and four commercial units:

- Amazon deliveries, via USPS, FedEx, DHL, and UPS, as well as via Amazon contractors operating their own vehicles;
    - We remind the LUC that – even where one household might make a singular Amazon order of several disparate items – such items often show up in separate deliveries at widespread times throughout a single day;
- Door Dash, Uber Eats, and similar meal deliveries;
- Instacart and similar grocery delivery orders;
- Standard daily U.S. Postal Service drop-offs;
- Standard UPS, FedEx, and DHL drop-offs;
- Non-standard deliveries, such as floral deliveries, pharmacy deliveries, and gifts;
- Drop-offs/pick-ups of residents, visitors, and commercial business patrons;
- For the commercial tenants:
    - Incoming deliveries of office supplies, inventory, furnishings/storage (such as case goods); and
    - Outgoing deliveries of customer orders and inventory.

We note that commercial deliveries will be of significantly larger scale than those for residential deliveries, necessitating that drivers take time unloading the deliveries onto carts for transportation, then taking the time to deliver and unload such deliveries, before returning to their truck to secure the cart and their truck load. All of this will take more than several minutes, causing delivery vehicles to double and triple up in front of the loading dock. This will interfere with traffic, cause safety issues for (a) vehicles whose drivers cannot see around delivery trucks and (b) for pedestrians and bikers in the area who will not anticipate vehicles attempting to avoid and dart blindly around delivery trucks.

In addition to these issues of delivery congestion that will inevitably occur each day, many times a day, on other days, residential and commercial tenants will be moving in or out of the development. While we understand that move-ins/move-outs are not events occurring day in and day out, a residential or commercial move is not an insignificant event even for one-bedroom tenants. On days when moves take place, moving trucks will occupy the entirety of the two

151 *See* Exhibit W.

parking spots comprising the Church Street loading dock, meaning that deliveries will be bumped out into the west-bound traffic on Church Street, effectively creating one functioning lane on a Major Street meant to support 10,000 drivers per day. This will not go well for anyone. Our employees and clients – as well as neighborhood residents, commuters, students, business patrons, and visitors – will be unable to safely navigate through the likely chaos of a loading zone on Church Street which is extremely close to the Dodge Avenue intersection, directly affecting use and enjoyment of our property.

2. "The requested Variation is in keeping with the intent of the zoning ordinance"

As it relates to impact on thoroughfares, the City states:

> "Such things as new development, street or sewer construction projects, or declining mass transit use can each affect street traffic. Some of these factors are short-term. Others may have long-term effects that can spread throughout neighborhoods. For this reason, proposed developments should be considered not only for the impact they might have on the immediate neighborhood, but also on other Evanston streets."[152]

The congestion and safety issues from the suggested front-facing loading dock will include an increase in vehicle crashes, pedestrian and bicycle injuries, avoidance by residents in patronizing local businesses in the congested area, interference with students' ability to reach their school in a safe and timely manner, and general congestion, noise, and decrease in quality of life related to commuting. The front-facing loading block will alter the residential feel of the neighborhood, resulting in a distinctly over-crowded urban feel which is inconsistent with the intent of the Zoning Code for the area. This directly contradicts the intent of the Zoning Code by increasing traffic, congestion, risks to pedestrian and cyclist safety, and by creating inevitable delays.

3. "The alleged hardship or practical difficulty is peculiar to the property"

We submit to the LUC that, instead of requesting a rear/north setback Variation and a Loading Berth Variation, HODC could instead forego its rear setback and implement a loading dock off of the alley, as is custom for large developments. Again HODC is working within a blank slate, which it can design according to its custom needs. There is nothing about the property that prevents inclusion of a rear-facing loading berth. Indeed, implementation of a rear loading berth arguably involves less unconventional planning and reorganization of design (and City resources) than does implementation of a loading dock on an Arterial Street. HODC designs the Parcels as it desires, requests major Variations in setback and loading berth requirements, and then seeks from the City a solution to its self-created problem. In doing so, HODC requires the use of significant City resources such as evaluation and consideration by Planning/DAPR, Zoning, the Land Use Commission, Permitting and Building, Public Works, and myriad City staff. It requires

152 *Id.* at p.96, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/33310/636501392398000000 (emphasis added).

the reworking of parking spots and traffic flow considerations to alter a Major Street that acts as a necessary thoroughfare between Evanston's east and west sides.[153]

HODC has essentially shoehorned a development into a spot for which it both designed the property lines, and which exists even within those property lines as a blank slate in which a developer could design infinite versions of this proposed development. Yet HODC puts forth its design with such significant Variation requests that it will alter the resulting character and feel of the neighborhood by dwarfing the neighborhood's scale and streetscape, and still it asks the City for more: a loading berth on a Major Street that will irreparably alter traffic and safety by markedly increasing congestion and delays. We submit that nothing about this Loading Berth Variation request is peculiar to the property.

4. "The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out"

We incorporate and refer here to our arguments under the Standard for Variation (3) immediately above and request that – for the same reasons – the LUC deem that this Standard for the Loading Berth Variation remains unmet.

5. "(a) The purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits"

We again assert, as under each of the Major Variation requests discussed above, that a design which self-selects the property lines and then seeks to fit within these new lines a property which uses every square inch to add as many units as possible, should not then receive the advantage of arguing that such an increase in scope in scale is not solely for purposes of extracting additional income from the property. Even it were not for such sole purpose, the Public Benefits of adding a loading dock along an Arterial Street at a critical intersection, most certainly do not outweigh any desire to extract such additional income.

153 *See, e.g.* Church Street Crash History, attached as Exhibit E; *see also* Exhibit D (City of Evanston Bike Path Proposal Study Goal and Objectives); Church Street Pedestrian and Bicycle Improvements, *located at*: https://www.cityofevanston.org/government/departments/public-works/engineering-construction/capital-improvement-program-projects/street-resurfacing-water-main-and-sewer/church-street-canal-park-bike-infrastructure.

6. "The alleged difficulty or hardship has not been created by any person having an interest in the property"

We restate here our arguments under each Variation request addressed above, and under the Loading Berth Variation Standards for Approval addressed thus far.

7. "The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation"

We again incorporate our arguments here related to the other requested Major Variations related to this Standard for Approval (7). We seek to understand how the Loading Berth Variation on an Arterial Street involves the least deviation among its feasible options in this regard.

Conclusion

In the words spoken in 2006, by Mr. Carlis Sutton, a 5th Ward stakeholder and community representative who has invested incredible and unceasing effort in the neighborhood for many years:

> "[W]hen it comes to decisions, who should prevail? Citizens, laws and city plans, or Developers? It is the position of the Community Alliance to give Mr. Koenig of HODC an additional opportunity to respond in good faith to our concerns. If Mr. Koenig is interested in making any substantial changes to his planned development regarding his financing, the density of [the area where the Parcels are located], or addressing our concerns about parking and set-backs, we are prepared to discuss and assist him in implementing these plans. However, if he continues to present his development in the current form, we have reached an impasse. We continue to refer to other major projects which were approved by the Plan Commission and the Developer still made major alterations in accordance with the neighbors and the Planning and Development Committee. Mr. Koenig, by contrast, has been unwilling to make any significant improvements despite unanimous findings of fact requiring disapproval by the Plan Commission."[154]

We respectfully request that each of the listed requested Major Variations be *Recommended for Denial* by the Land Use Committee for the reasons stated above.

154 5/22/2006 Memo p. 13.

EXHIBIT A

Style Examples of Proposed Garage Topped by Affordable Housing Dwelling Units, Green Roof, EV Charging Station, and Solar Panels















EXHIBIT B

Attestation by Owner of 1817 Church Street of Intent to Construct the Accessory Dwelling Described Herein

I am the sole Member-Manager of Crosby Theodore LLC, owner of the building located at 1817 Church Street, Evanston, Illinois 60201. I attest that Crosby Theodore LLC intends to construct a garage or partially enclosed carport on the rear parking pad of the 1817 Church Street property. I attest further that, to the extent it is so permitted by the City of Evanston and the Historic Preservation Commission of the City of Evanston, I intend to construct a building that aligns with the description provided in the Materials to which this Exhibit is attached, and as described in Exhibit A.

CROSBY THEODORE LLC

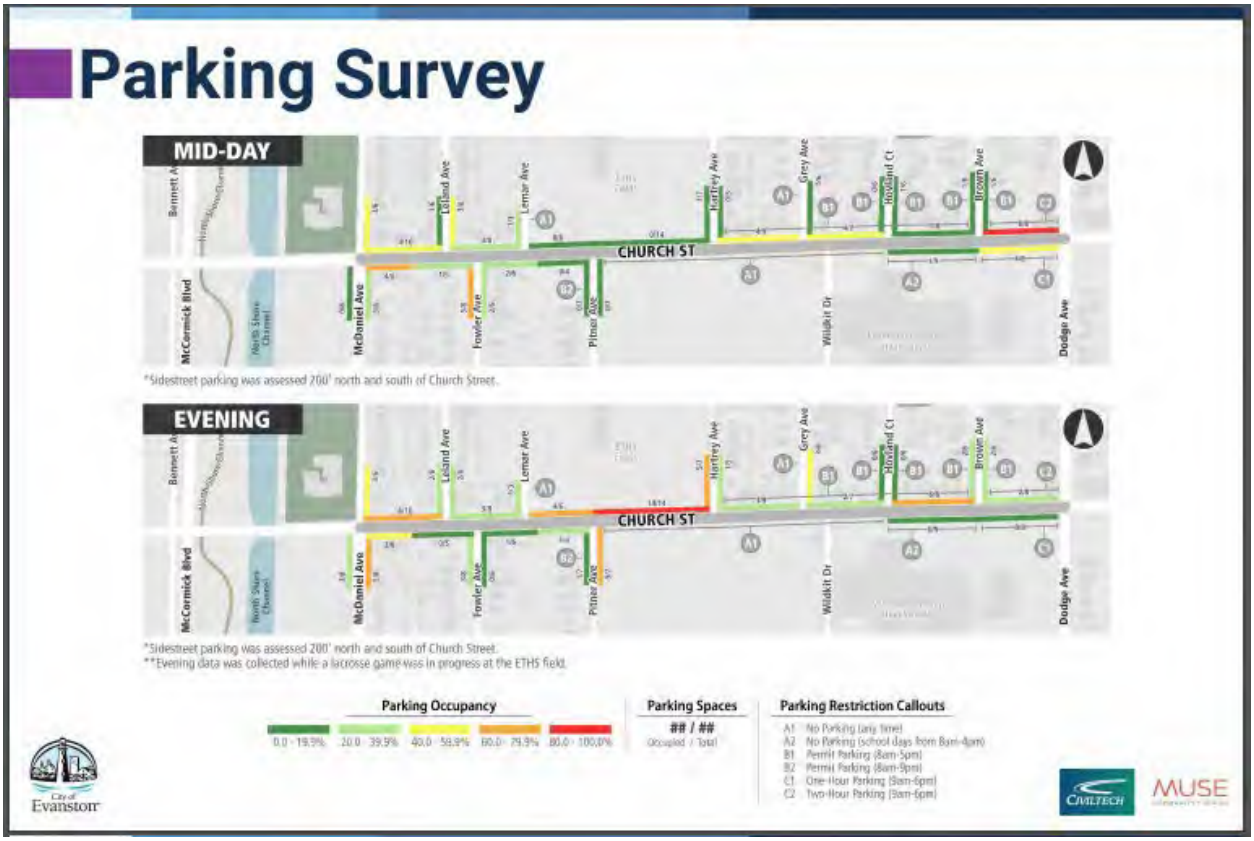
02-07-2023
Date

By: Connor D. Jackson
Its: Member and ~~Manager~~

EXHIBIT C

City of Evanston Bike Path Proposal Parking Survey

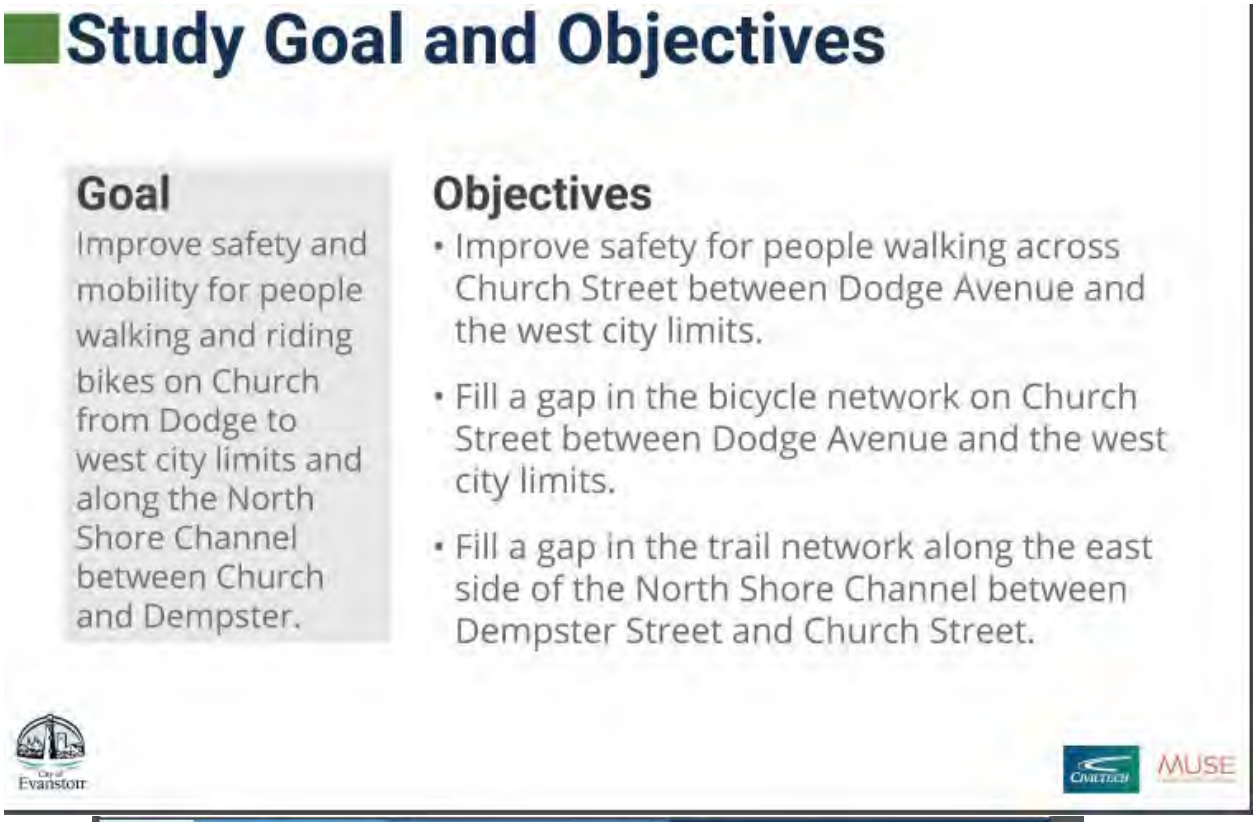
Parking Survey for Church Street and Dodge Avenue is at 80 – 100% during daytime hours.



Source:
https://www.cityofevanston.org/home/showpublisheddocument/65400/637630879706470000
p. 21

EXHIBIT D

City of Evanston Bike Path Proposal Study Goal and Objectives





Source:
https://www.cityofevanston.org/home/showpublisheddocument/65400/637630879706470000
p.4, p. 8

EXHIBIT E

City of Evanston Bike Path Proposal Crash History



Source: p. 11
https://www.cityofevanston.org/home/showpublisheddocument/65400/637630879706470000

EXHIBIT F

Photographs of Traffic at Church Street and Dodge Avenue, 5pm, dated 1/24/23




CACBDA

EXHIBIT G

Renderings of the Proposed HDOC Development
Consisting of 4 Stories







Source: https://www.mtpisgahministry.org/content.cfm?id=9006, last viewed 1/24/23.

EXHIBIT H

Residential Apartment on Third Floor of 1817 Church Street

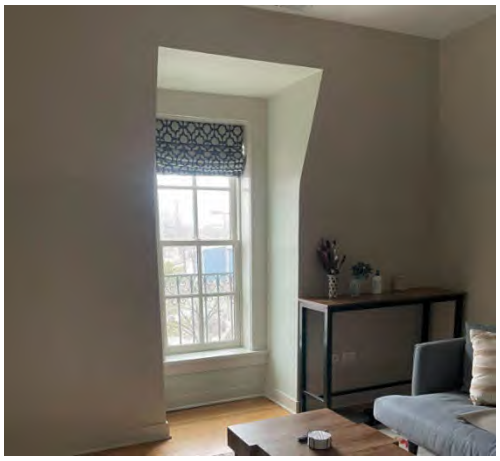














The entry door to the third-floor apartment also takes advantage of natural light from a skylight.

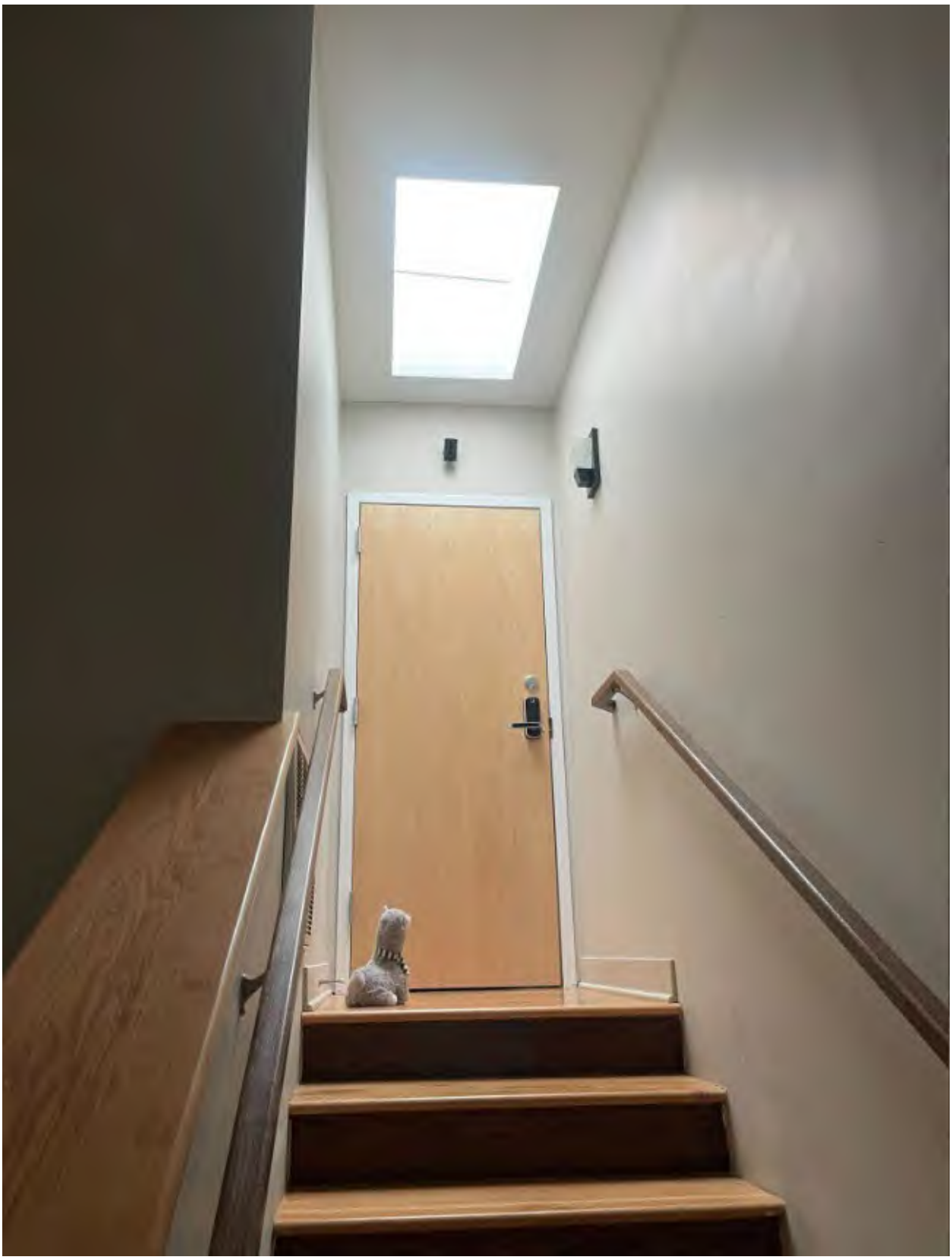


EXHIBIT I

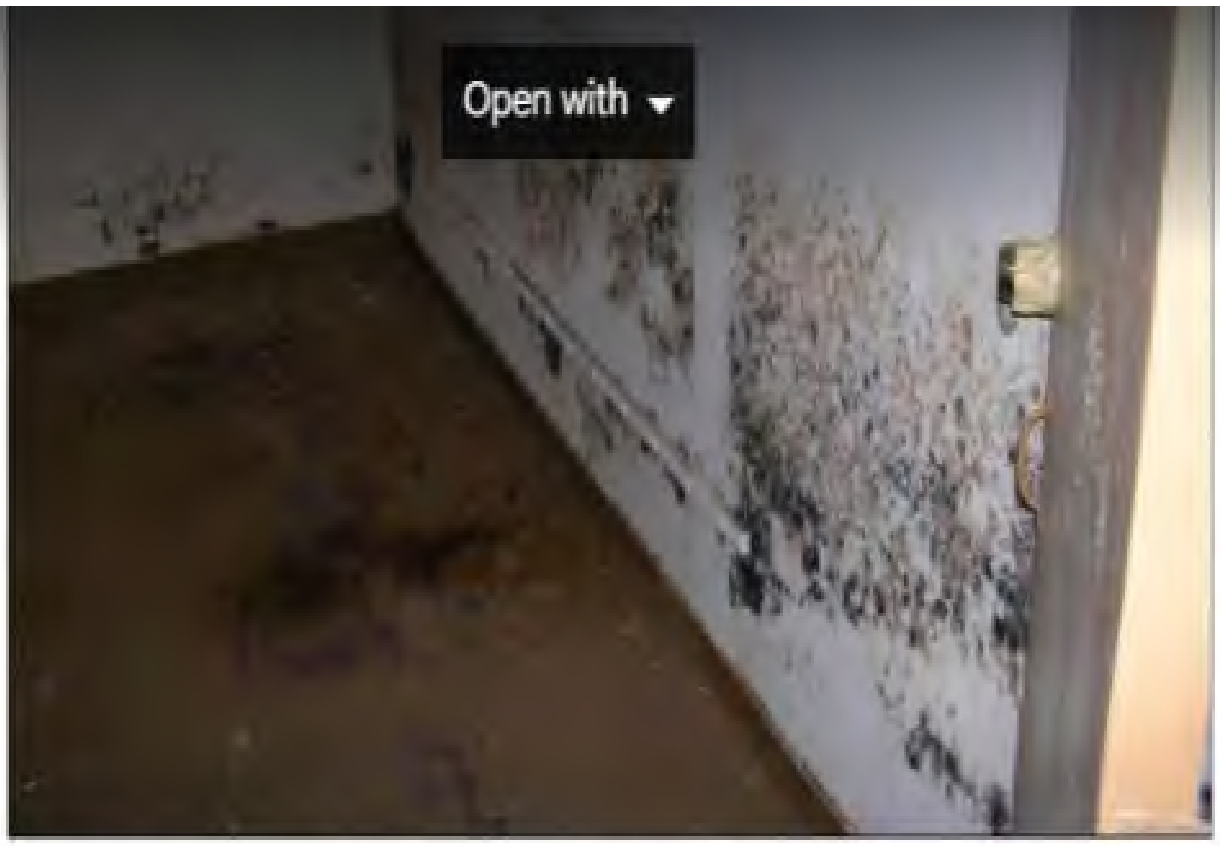
Photographs of Flooding at 1817 Church Street



Photographs of Flooding Prior to Renovations of the First Floor



Photograph 5 – An interior view of the 1817 Church Street building.



Photograph 7 – A view of suspect mold located on the first floor of the building.



Photograph 8 – Another view of suspect mold located on the first floor of the building.

Photographs of Flooding After *Initial* Renovations of the First Floor, after which We Replaced First Floor Flooring




STAPLES
8
letter
printer
paper
RIDGID


EXIT










STAPLES
letter
printer
paper
RIDG

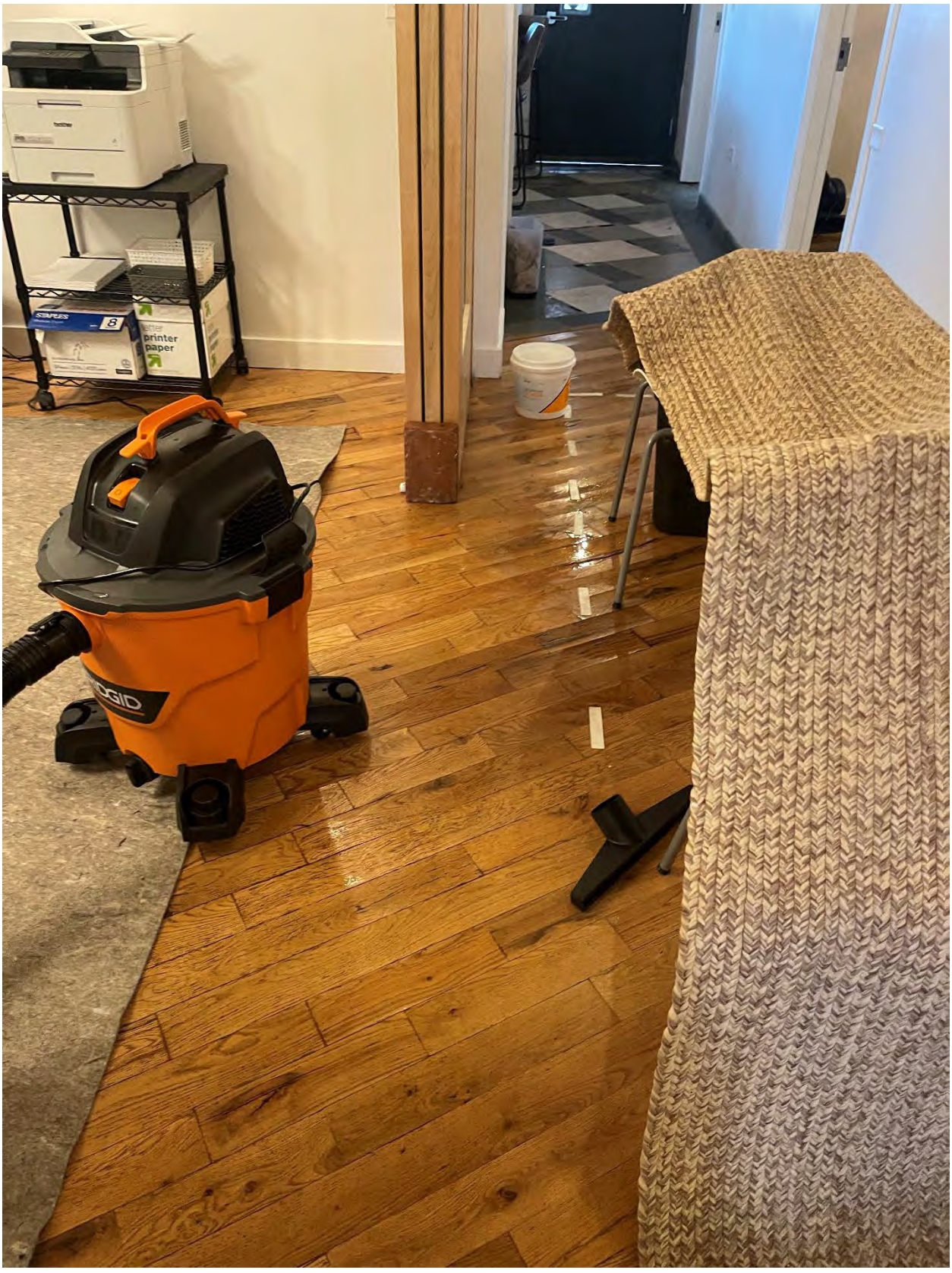

printer
paper
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EXHIBIT J

Photographs Exhibiting Absorptive Plantings for Environmentally-Friendly Water Management, including Raised Garden Beds above Impervious Surfaces, and Consistent and Regular Courtyard Use at 1817 Church Street










EVANSTON





Jackson LLP Healthcare Lawyers
July 12, 2022 at 3:37 PM ·

It was a beautiful day to gather in the Evanston courtyard over the lunch hour to make cards for children, families, seniors, and veterans in who are in hospitals, senior living centers, schools, and rehabilitation centers served by Cardz For Kidz.

Cards for Kidz uplifts spirits around the globe by delivering handmade cards with inspirational messages. No, the visual arts aren't the firm's usual lane. But we're all about support and encouragement (for each other, our clients, and our community). So, yes, we loved every minute of this project!









Jackson LLP Healthcare Lawyers
September 27, 2022 at 11:05 AM ·

Our courtyard garden harvest is headed to the Evanston Community Fridge!





Jackson LLP Healthcare Lawyers
July 6, 2022 at 3:03 PM ·

Peppers, tomatoes, tomatillos, basil, cilantro and more! We're putting our Evanston HQ's lush courtyard to work. Student Fellow Hanna Lindroth built raised beds and planted a new vegetable garden.

We plan to donate our harvest to a nearby community fridge. If you're unfamiliar with such programs, community fridges offer food-based mutual aid guided by the principle of "leave what you can and take what you need."








LOVE

EXHIBIT K

Photographs of Reflooring of 1817 Church Street First Floor due to Ongoing Water Damage




EXIT





EXHIBIT L

Photographs of Moving of Furniture to Replace Flooring on First Floor of 1817 Church Street

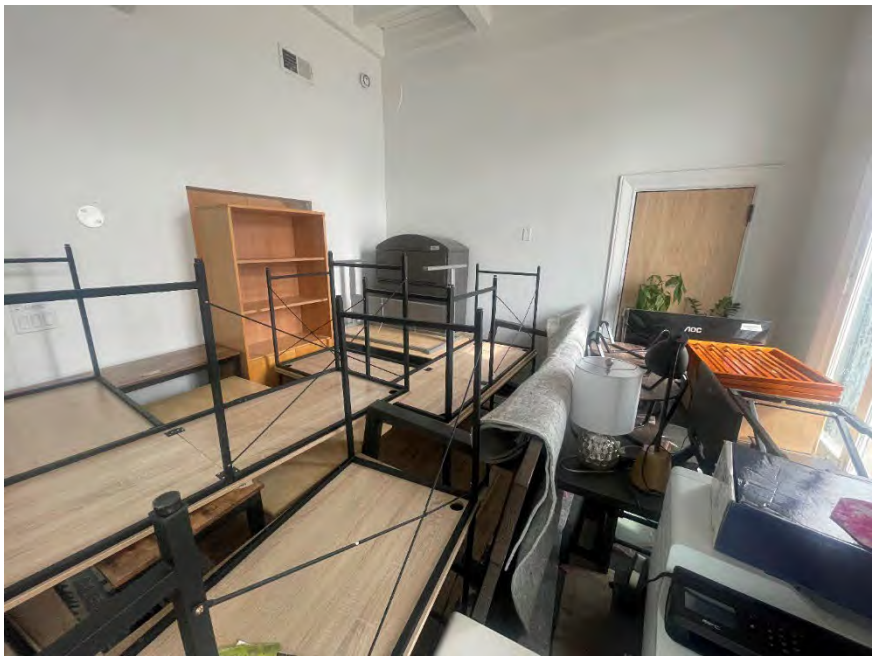




EXHIBIT M

Photographs of Skylight-Focused Construction to Harness Natural Light and Energy Efficiency








EXIT












HITACHI


PLEASE
HANDLE WITH CARE
FRAGILE
"THANK YOU"








EXIT

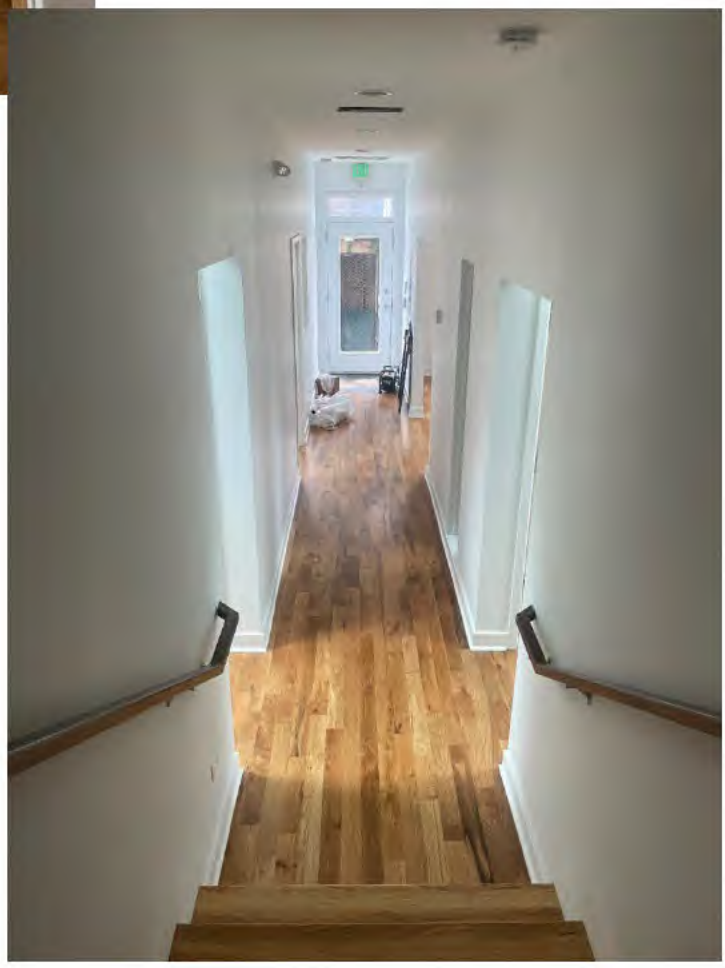


EXHIBIT N

Photographs of Graded ADA Ramp in Courtyard of 1817 Church Street





EXHIBIT O

Meeting Minutes of May 22, 2006, Planning and Development Committee

Consideration of Planned Development for 1708-10 Darrow Avenue/1805 Church Street

[*Attached to email transmission of this document to the Land Use Commission*]

EXHIBIT P

Videos of Church Street Traffic, dated 1/20/2023, 4:30pm

[*Attached to email transmission of this document to the Land Use Commission*]

EXHIBIT Q

Crosby Theodore LLC Certificate of Good Standing

Office of the Secretary of State
ilsos.gov

Corporation/LLC Search/Certificate of Good Standing

LLC File Detail Report

File Number	09361847
Entity Name	CROSBY THEODORE LLC
Status	ACTIVE

Entity Information

Principal Office
1817 CHURCH ST
EVANSTON, IL 602010000

Entity Type
LLC

Type of LLC
Domestic

Organization/Admission Date
Wedne day, 14 October 2020

Juri diction
IL

Duration
PERPETUAL

Agent Information

Name
CONNOR D. JACKSON

Address
1817 CHURCH ST
EVANSTON , IL 60201

Change Date
Wednesday, 14 October 2020

Annual Report

For Year
2022

Filing Date
Thursday, 25 August 2022

Managers

Name
Address
CONNOR D. JACKSON
1817 CHURCH ST
EVANSTON, IL 60201

Series Name

NOT AUTHORIZED TO ESTABLISH SERIES

Return to Search

File Annual Report

Adopting Assumed Name

Articles of Amendment Effecting A Name Change

Change of Registered Agent and/or Registered Office

EXHIBIT R

Habitat for Humanity, "Home Ownership Builds Wealth"

[*Attached to email transmission of this document to the Land Use Commission*]

EXHIBIT S

"Plan Alternatives" for West TIF District Sub-Area #3

4 PLAN ALTERNATIVES

The three early Plan Alternatives reviewed by the community at the September 21, 2006 meeting grew out of a thorough review of existing neighborhood conditions and the community input received up to that point, and were presented as a mix-and-match set of redevelopment strategies that illustrated different options for key plan elements. At this point in the planning process, the community was not asked to support a particular Plan Alternative, rather to give feedback on key elements of all of the Plan Alternatives about which they felt either positive or negative. These key elements included:

- Building heights and configurations at the Church & Dodge intersection
- Various strategies for diminishing the impact of the abandoned railroad embankment, and
- Several levels of residential redevelopment within and along the abandoned railroad embankment

The Plan Alternatives contained new residential counts that ranged from 121 to 235 dwelling units and retail levels that ranged from 9,300 to 18,400 square feet.



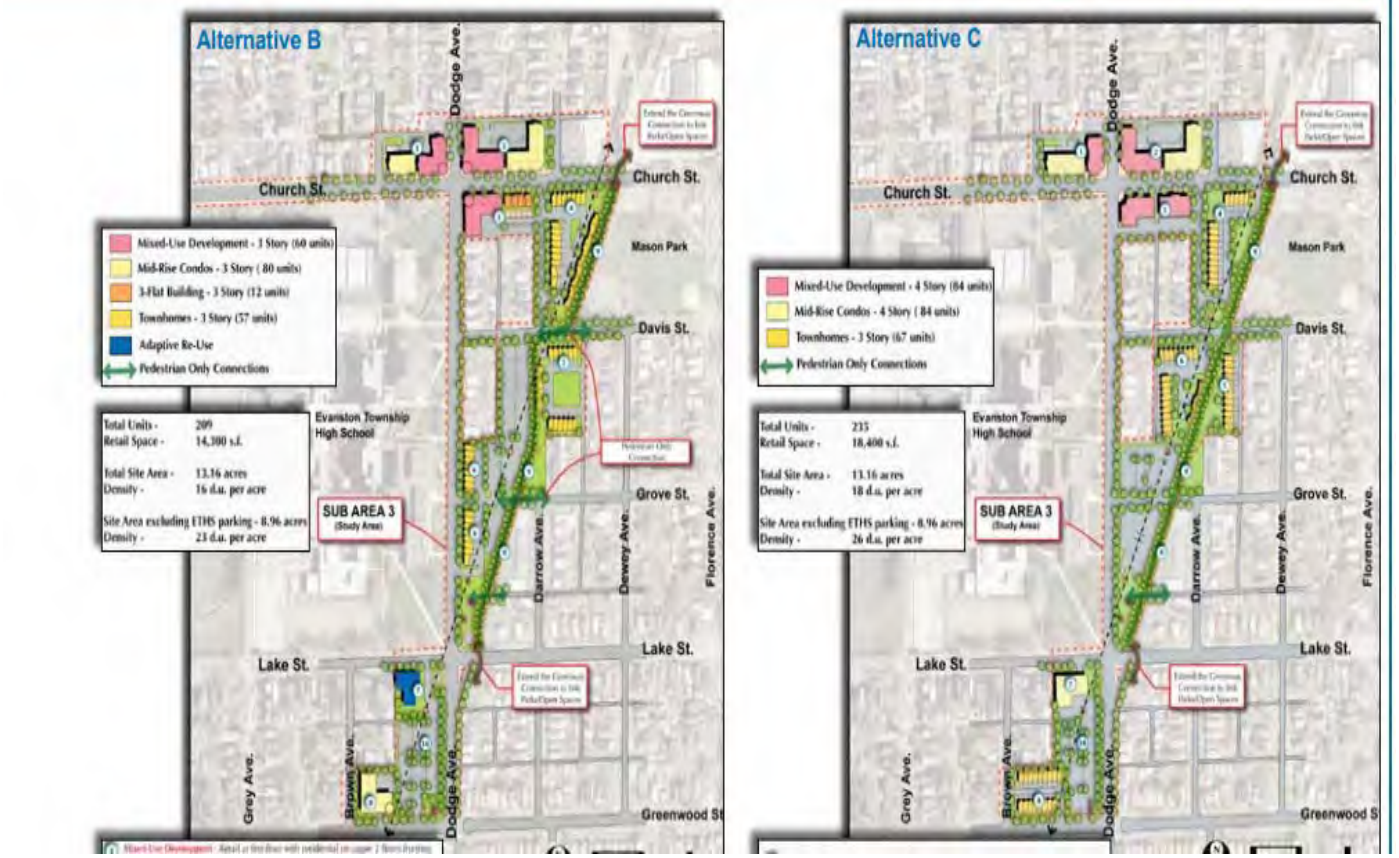

Alternative B
Dodge Ave.
Church St.
Church St.
Mason Park
Davis St.
Mixed-Use Development - 3 Story (60 units)
Mid-Rise Condos - 3 Story (80 units)
3-Flat Building - 3 Story (12 units)
Townhomes - 3 Story (57 units)
Adaptive Re-Use
Pedestrian Only Connections
Total Units - 209
Retail Space - 14,300 s.f.
Total Site Area - 13.16 acres
Density - 16 d.u. per acre
Site Area excluding ETHS parking - 8.96 acres
Density - 23 d.u. per acre
Evanston Township High School
SUB AREA 3
(Study Area)
Grove St.
Darrow Ave.
Dewey Ave.
Florence Ave.
Lake St.
Lake St.
Grey Ave.
Brown Ave.
Dodge Ave.
Greenwood St
Alternative C
Dodge Ave.
Church St.
Church St.
Mason Park
Davis St.
Mixed-Use Development - 4 Story (84 units)
Mid-Rise Condos - 4 Story (84 units)
Townhomes - 3 Story (67 units)
Pedestrian Only Connections
Total Units - 235
Retail Space - 18,400 s.f.
Total Site Area - 13.16 acres
Density - 18 d.u. per acre
Site Area excluding ETHS parking - 8.96 acres
Density - 26 d.u. per acre
Evanston Township High School
SUB AREA 3
(Study Area)
Grove St.
Darrow Ave.
Dewey Ave.
Florence Ave.
Lake St.
Lake St.
Grey Ave.
Brown Ave.
Dodge Ave.
Greenwood S

EXHIBIT T

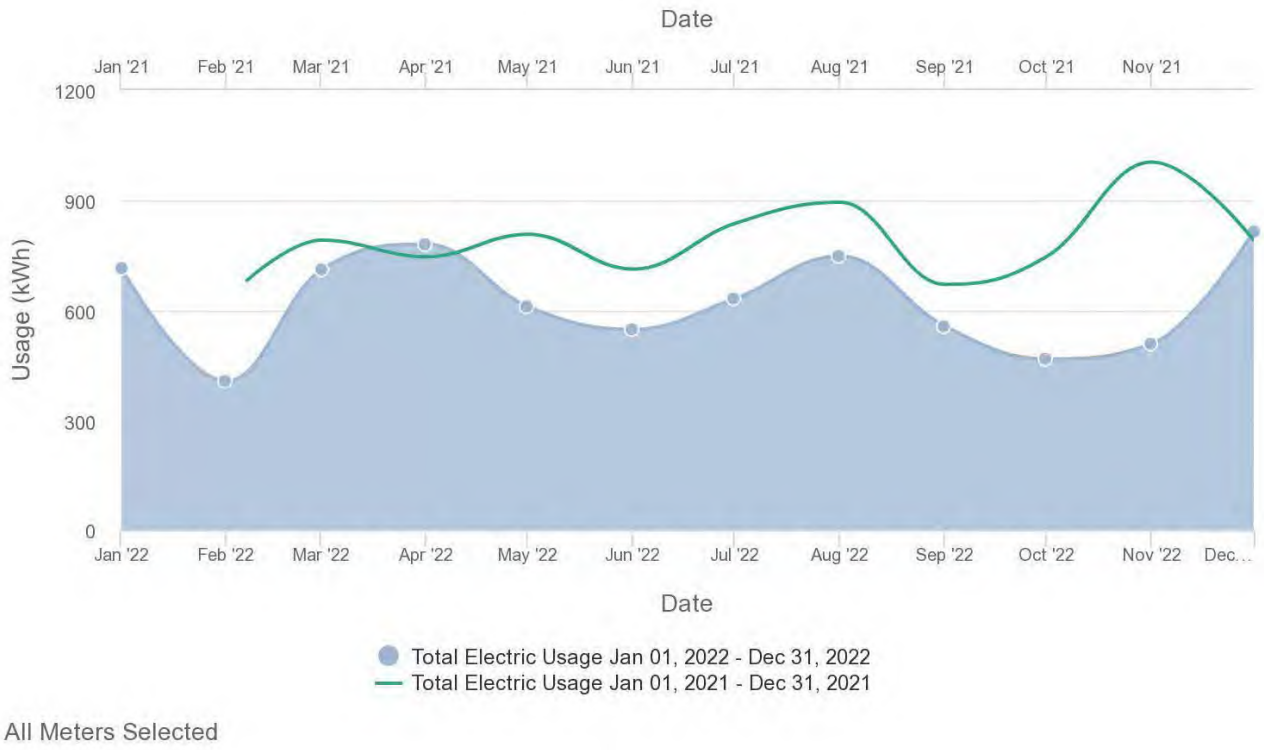
Illinois Environmental Protection Agency, "No Further Remediation Letter" to E-Town Community Ventures, LLC

Dated November 6, 2017

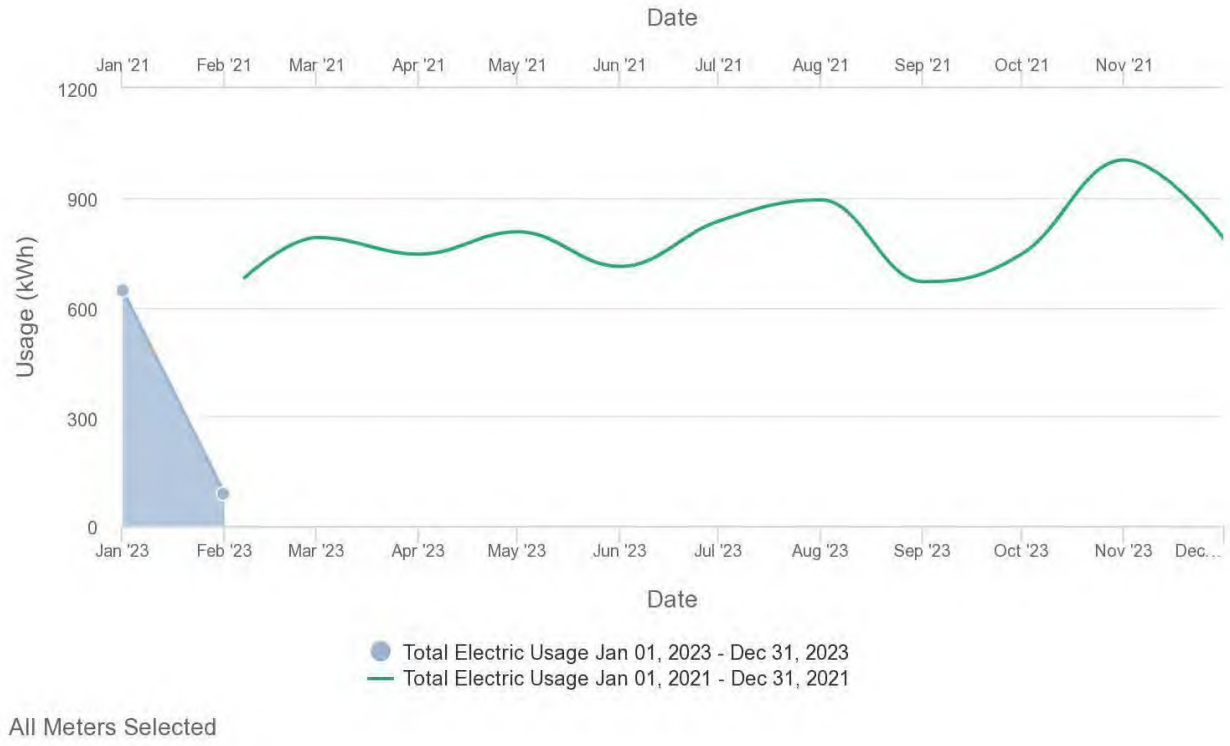
[*Attached to email transmission of this document to the Land Use Commission*]

EXHIBIT U

Graphic Demonstrating Our Electrical Usage in 2021 verses 2022, and during the first months of 2023



The above graphic demonstrates electrical usage on our first floor in 2021 vs. 2022. Though our team grew during that time, our efforts at creating a more sustainable and energy-efficient office began to be reflected through our electrical bills.



All Meters Selected

The above graphic demonstrates electrical usage on our first floor in the initial months of 2023, as compared with 2021.

EXHIBIT V

Parking Signage near Church/Dodge Intersection





EXHIBIT W

Photo Depicting High Usage of Parking Spots on Church Street Where Proposed "Loading Zone" Would Replace Existing Parking





Photos taken at approximately 2:45pm on Tuesday, February 7, 2023

EXHIBIT X

Photo Depicting Blocked Access to the Alley from Dodge Avenue Because of a Single Refuse Truck



Photos taken at approximately 2:45pm on Tuesday, February 7, 2023

DRAFT

Planning & Development Committee
Minutes of May 22, 2006
Council Chambers – 6:30 p.m.
Evanston Civic Center

Alderman Present: S. Bernstein, A. Hansen, D. Holmes, L. Jean-Baptiste, E. Moran, A. Rainey, E. Tisdahl, C. Wollin, M. Wynne

Staff Present: J. Wolinski, J. Carroll, J. Burke, K. Cox, N. Ney, D. Spicuzza, E. Szymanski, J. Brownlee

Presiding Official: Alderman Rainey

DECLARATION OF QUORUM

Chair Rainey called the meeting to order at 7:00 p.m.

APPROVAL OF THE MEETING MINUTES OF MARCH 27, 2006 AND SPEICAL MEETING OF APRIL 4, 2006

Both sets of meeting minutes were unanimously approved 8-0.

ITEMS FOR CONSIDERATION

(P2) Planned Development for 1708-10 Darrow Avenue/1805 Church Street
Consideration of a recommendation from the Plan Commission to deny a planned development for Housing Opportunity Development Corporation. The Planned Development includes a 4-story multi-family residential building with 27 affordable housing units and 30 off-street parking spaces. The Committee began discussion of this item at the March 27, 2006 meeting and was held. This item was held at the special meeting on April 4, 2006. On April 11, 2006, this item was held again to be brought back by a P&D Subcommittee at the May 22, 2006 meeting. A report from the Subcommittee will be transmitted on Monday, May 22, 2006.

THIS ITEM WAS TRANSCRIBED BY COURT REPORTER DENISE ANDRAS, IN ACCORDANCE WITH THE KLAEREN RULES. PLEASE REFER TO THE ATTACHED TRANSCRIPT.

The final vote was 5 voting aye (Wynne, Hansen, Tisdahl, Bernstein, Rainey) and 4 voting nay (Holmes, Jean-Baptiste, Wollin, Moran).

ADJOURNMENT

With no further business, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Jacqueline E. Brownlee

CITY OF EVANSTON

PLANNING & DEVELOPMENT COMMITTEE

CASE NO.: P2

RE: PLANNED DEVELOPMENT FOR 1708-1710 DARROW AVENUE/ 1805 CHURCH STREET. Consideration of a recommendation from the Plan Commission to deny a planned development for Housing Opportunity Development Corporation.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held May 22, 2006 at the Village Hall of Evanston, 2100 Ridge Avenue, 2nd Floor, Evanston, Illinois, at 6:43 p.m. and presided over by M. Wynne, Chair.

PRESENT:

M. WYNNE, Chair	L. JEAN-BAPTISTE
S. BERNSTEIN	A. RAINEY
E. TISDAHL	D. HOLMES
E. MORAN	A. HANSEN
C. WOLLIN	J. WOLINSKI

STAFF:

J. BROWNLEE

E. SZYMANSKI

CHAIRMAN WYNNE: Welcome everyone to Monday, May 22nd meeting of Planning and Development Committee. We have one item on our Agenda for consideration tonight. It's the Planned Unit Development at Darrow and Church. Since we have just this single item, I'd like to lay out what the plan is for this evening.

We have a Sub-Committee that's been working on this as many of you or all of you know, for a number of meetings. A Sub-Committee report has been prepared, everyone should have a copy of that. Do we have copies out? Yes, copies are out there, it's a short summary. What I'd like to do first is have the members of the Sub-Committee present their report, we've all read it, if you could summarize it, then we are going to give both the opponents and the proponents approximately 15 minutes to provide summation.

If you anticipate presenting any new evidence, we'll have to swear you in which is not a difficulty at all, we have a court reporter here and what we'll do is first hear from the opponents and then hear from the proponents for approximately 15 minutes. That's, that'll be the limit. Then we'll bring it back up here for the Committee discussion. So, first on the order of

battle here is going to be the Sub-Committee report. Is there, Alderman Holmes, were you the Chair of the Sub-Committee was there an Official Chair?

ALDERMAN HOLMES: Yes, I was the Official Chair.

CHAIRMAN WYNNE: Would you like to present the report to us please? And if anyone else would like to comment, that would be useful.

ALDERMAN HOLMES: We'll the, as outlined in the report, we had a total of six, I believe, meetings and presented a lot of ideas and suggestions, we had a lot of debate back and forth about the project. All of that of course, I hope all of the Aldermen received that in their minutes.

I tried to keep the conversation between the Sub-Committee members, except that we did allow Aldermen to have some input and as the report points out that we ended up with the number of units, ownership versus rental, parking and ground floor usage and probably the redesign of the project as being the topics that we chose to report on it.

This is a, Mr. Wolinski was very helpful in terms of keeping very good notes, that we could pull

together a report and this is, this is it. I don't think I need to read it. It's pretty clear that we, I guess the conclusion was that even though we worked really, really hard, that we just couldn't come back with a recommendation that both sides could agree on.

CHAIRMAN WYNNE: Okay, would any other member of the Sub-Committee like to add anything? Alderman Tisdahl.

ALDERMAN TISDAHL: I'd just like --

CHAIRMAN WYNNE: I'd just wanted to say, the court reporter has asked that we all make sure our microphones are on and that we speak clearly into them.

ALDERMAN TISDAHL: I think this is one time when I did remember to turn it on, but thank you. No, I just wanted to agree with Alderman Holmes' synopsis and say that everyone did, did work very hard, but it is difficult for the project to change, because of the demands of the funding.

CHAIRMAN WYNNE: All right. Thank you. All right, oh, Alderman Jean-Baptiste? I don't, are these lights? I'm sorry, the lights were not turned on. Can you press the red? All right, Alderman Jean-Baptiste? We'll figure this technical thing out.

ALDERMAN JEAN-BAPTISTE: I did miss the last two meeting, I missed the summary meeting and the meeting before that, but I was at most of the other meetings and the issues, you know, when we addressed, for example, parking. Although the structure itself, the Developer was not able to exercise the kind of flexibility to absorb more of the parking inside the building.

However, a representative from our parking, Public Works, Jean Barkum and I believe John Burke, came, and they had done a study of the available parking in the community, and they were able to find an additional 30 or more spaces and we are talking about some within the same block, some across the street with small modification of allowing parking on both sides of the street, or allowing parking in places where parking was restricted previously.

So I personally felt that the parking issue, we allowed for some flexibility. And the year before, we added 15, or we added maybe 10 additional parking places right in front of Strange, the new Strange building when we supported the installation of diagonal parking. And for the most part the analysis was that

the main pressure came on, during the weekend because there are about four churches there. So for parking, you know, I think there was a proposed resolution.

On-Site Management was an important issue as well, and the neighbors wanted to make sure that, you know, that there was some oversight of the place and the tenants there and that the building was maintained over a long period of time, that it didn't become a blight on the community and the Developer indicated that it would hire an additional person on-staff to do management and would commit up to about 20 hours a week to provide for management and that they would hire a resident to also do some minor upkeep of the building.

Additionally, ECDC, as an organization is supposed to have an office there and part of the agreement is that it would maintain a presence there as well. So, I thought that that issues was addressed, not to the maximum possible outcome, but it was addressed. There was a lot of discussion about the library, the potential on-site library there, branch library and I don't know what ended up happening in the end, but that was something to be resolved and I thought it would come before us, but I don't see it in the report

specifically.

ALDERMAN HOLMES: May I address that?

CHAIRMAN WYNNE: Yes, go ahead Alderman Holmes.

ALDERMAN HOLMES: Alderman Jean-Baptiste, two things I follow up on the library, but first on the parking, at our meeting on the 19th, the Developer with some readjustments within the building, could come up with five additional parking spaces on-site. Meaning that there would be 35 rather than 30.

So that means that would be seven then short. The other, in terms of the library? At the Tuesday meeting, the community, if we couldn't have a full branch library, then they would rather not have the library. But would want to negotiate with, I hope I'm stating it correctly, but I know Mr. Sutton is here so he could address that. But were willing to negotiate with HODC and ECDC as to what would be, actually what would go into that space at a later date.

ALDERMAN JEAN-BAPTISTE: Okay.

ALDERMAN HOLMES: Is that correct?

ALDERMAN JEAN-BAPTISTE: And then I know that there was some issues as to ownership as stakeholders versus renters as not being stakeholders. So there were

a lot of discussions about perhaps the rental with option to buy and trying to manage the different perception into the mind of those who would be coming into the building and hopefully in the community's mind as well.

So, I see here that in the report there were discussions, I don't know whether anything was adopted in fact, but issues such as a tenant organization. So that people would have greater camaraderie, be able to discuss the condition of the building and be able to make suggestion and sort of police each other in the process.

So, you know, and of course the ground floor usage, I think the On-Site Management, the ECDC presence and others contributed to that. There was an issue that Alderman Hansen had which was that the gate and the fence in the rear, the wooden fence that was proposed promoted a perception of, well, of not such a good quality for the community.

And I think the Developer had stated that he would commit to putting wrought iron fence that may be on the middle, so that it's still open to the street, to the community, but provides some type of security as

well. So these are some of the things that I recall that we talked about and hammered out.

CHAIRMAN WYNNE: All right, thank you. I wanted to let the Committee Members know that for some reason the light board is not working. So if you would like to speak could you raise your hand so I could see you a little bit. I don't know why that is. The white button? Yes, we turned on the white button Mayor.

MAYOR: Does that do it?

CHAIRMAN WYNNE: No, it doesn't. If everyone could just bear with us, this will make things. Here comes Max. If everyone could just bear with us for a minute. All right. Not just a Mayor, but a tech person! Okay. Now I'd like. Any? Now I don't know which of you had your lights on. Would any of you like to make a comment further? Okay. All right. Why don't we hear from the opponents first. Mr. Sutton, do you expect to present any new information?

MR. SUTTON: No.

CHAIRMAN WYNNE: Okay, all right. Thank you.

MR. SUTTON: Due to the shortage of time, excuse me, I'm going to make the, I've summarized all of the concerns of the people in my group and I'll be the

only one making a presentation.

CHAIRMAN WYNNE: Okay, can you introduce yourself?

MR. SUTTON: Yes, I will. Carlis Sutton, President of the Community Alliance Organization. To Alderman Melissa Wynne, Chairman, Planning and Development Committee, the summary of the Task Force Committee from the perspective of the Community Alliance. The objections to the planned development, Darrow Corners, of are two types.

One, harm to the surrounding neighborhood, and two, possible harm to the occupants. Virtually all the discussion that I've heard this evening and before the Task Force, has been about the occupants of the building and how to improve things for them. But the Developer expressed little or no interest in addressing the harm to the neighborhood, and did not agree to any corrections to reduce this harm.

While the neighbors are as concerned as anyone about how low income tenants would be treated in an affordable housing facility, many of us fall into that category themselves or have for decades been providing such houses, housing as landlords, to their tenants. We

would like to see every possible improvement made for their well being.

It is striking that the Developer still proceeded as if that was the only concern which deserved his attention and continued to ignore all the deficiencies regarding the impact on the neighborhood, which the Plan Commission found would result. And many of the Aldermen stated their agreement with the Commission. Why are the legitimate concerns and needs of this neighborhood so easily disregarded?

The Zoning Ordinance and Adopted Plans makes protection of residential neighborhoods the top priority. We, as stakeholders, are mandated that any development conform to the Standards and the Tests. Is there something about my particular neighborhood that makes it ineligible for these protections? What excludes us?

We have a sterling opportunity this evening to observe where the intent of the law and the concerns of the neighbors are in agreement. Don't facilitate a political decision to move this development on without visualizing the harm that this message will send out. The citizens concerns don't count. Zoning laws are not

important. City plans and citizen participation are irrelevant.

And when it comes to decisions, who should prevail? Citizens, laws and city plans, or Developers? It is the position of the Community Alliance to give Mr. Koenig of HODC an additional opportunity to respond in good faith to our concerns. If Mr. Koenig is interested in making any substantial changes to his planned development regarding his financing, the density of Darrow Corners, or addressing our concerns about parking and set-backs, we are prepared to discuss and assist him in implementing these plans.

However, if he continues to present his development in the current form, we have reached an impasse. We continue to refer to other major projects which were approved by the Plan Commission and the Developer still made major alterations in accordance with the neighbors and the Planning and Development Committee. Mr. Koenig, by contrast, has been unwilling to make any significant improvements despite unanimous findings of fact requiring disapproval by the Plan Commission.

The only major change for the neighbors, from

the Task Force meeting has been the revelation that affordable home ownership is not guaranteed in 15 years or at any time for this development. It is only a contingency. This proposal is not realistic, practical or enforceable. We have reduced our many concerns to the following corrections which are the minimum which should be made to bring this plan into compliance.

One, some immediate home ownership. At least 1/3 of the units, or create a Limited Equity Co-Op to provide immediate home ownership. Two, provide the required amount of parking. Three, reduce the size of the building so it does not dominate the residential neighborhood. Four, more ground level type space for active, commercial use. Community Alliance position regarding Darrow Corners.

The community surrounding Church and Darrow will welcome additional affordable housing projects that fit within the scale and character of the neighborhood. The Darrow Corner's proposal does not meet this criteria. The following summary explains the central issues of this project from the Community Alliance point of view. The Community Alliance represents residents in the area surrounding the proposed planned development

called Darrow Corners at Church Street.

We live on Darrow Avenue, Dodge, Church Street, Lions and Emerson. The Community Alliance is a residential neighborhood made up primarily of single family homes, with some two flats, four flats and several town homes. Our area includes three single family houses built for affordable housing and we welcome more affordable housing projects that are in the same character and scale as our neighborhood.

In contrast, the proposed project for Darrow and Church is a four story, residential building with 27 apartments. The residents and landowners in this area value the essential character of our neighborhood and one of our highest priorities is to preserve this character as we work to revitalize it. It represents the quality of life that brought us to this area and that we desire to maintain.

We oppose the planned development for Church and Darrow. One, because it is contrary to our vision for the area we call our home. Two, because it will have a negative impact on our neighborhood. And three, because there are viable alternatives both for commercial development and at that target site and for

smaller scale affordable housing projects in our neighborhood. First, this project is designed as a residential building in a location intended to support business. This part of Church Street, with business neighbors near Dodge Avenue, is not suitable for raising young children.

As a major route in and out of Evanston, there is a steady stream of cars, man transit busses, very large trucks entering and leaving Onyx, and a regular flow of high school students to and from ETHS. There is no room for open space in the proposed development. We have long hoped for a project to develop the empty lot at the corner of Church and Darrow. Our vision for that corner has been a building with street level spaces designed for pedestrian oriented public use, commercial or non-profit.

The proposed project is not the only economic development possibility for the empty lot at Church and Darrow. Second, a large multi-unit, multi-floor, residential building is out of character with our neighborhood. The additional population density will bring traffic and parking to levels not associated with any other predominantly single family neighborhood.

Our vision for the streets on which we live does not include making it more difficult to park in proximity to our homes and destination. Third, the sheer size of the building, regardless of it's use is way out of scale with anything in our community. Neighborhood context is the appropriate criterion for design, not maximum dimensions allowable by zoning. A project of this size opens the door to other developers to plan more large scale buildings.

Fourth, to bring this large residential structure, the plan calls for tearing down 2, two flats. Tearing down smaller structures to erect larger structures is the exact opposite of our intentions and the vision of our neighborhood. Fifth, this neighborhood has many rental units with relatively low rent and many of these units have been vacant for some time.

Even though the project targets a very low income population, the projected 15 years of rental units will add competition with this already struggling low and moderate income local rental rate. The fundamental problem with this proposal is location. It is a noble attempt to develop a long vacant business lot

and provide affordable housing. A project was developed that does not fit the site in the context with the surrounding business and residential community.

However, as designed, this project is well suited for a residential area where existing residential buildings of a similar size already exist. The unfortunate result is that two important community values, and members of the community support both of these values, have been placed unnecessarily into a high-stake, win-lose conflict. The tragic fallacy of this disagreement is the notion that neighborhood values have to be compromised to achieve affordable housing goals. They do not!

Affordable housing and neighborhood preservation can be achieved compatibly and harmoniously by planning affordable housing projects that fit the particular character of Evanston's diverse neighborhoods. We, who embrace these values on both sides of this issue, should not have been forced into this avoidable and disheartening dilemma.

City Council is faced with a difficult decision and there is an understandable great reluctance by Aldermen to oppose this project. The City has not

made significant progress on affordable housing and there is a great desire to show some forward movement. ECDC and others actively participating in this goal, have invested a lot of time and hopes on this project. HODC has invested a considerable amount of their organizational resources in developing this plan.

Opposition to this project by the Council may be mis-construed as a lack of support for affordable housing efforts and there is pressure to quickly initiate development activities in the new TIF District. Despite these great pressures, City Council should not accept this plan without major changes to conform to the character and needs of our area.

The intention of this neighborhood, to preserve its character, should not be sacrificed to achieve another community goal no matter how invested the project is. Especially where there are compatible alternatives. We're being asked, under the banner of affordable housing, to sacrifice our long-term best interests to benefit the short-term interests of an other invested party's.

To do so is unfair to this neighborhood and therefore, unacceptable. This decision will make a

statement about how City Council views the roles of neighborhoods and self-determination. Our Community Alliance expects to have a significant voice in determining the direction of change in our neighborhood.

Summary of Sub-Committee meetings for Darrow Corners Project. When the Planning and Development Committee formed a special committee to explore compromises that the Developer might make to address community concerns about the Darrow Corner's proposed development, the neighborhood groups represented by Todd Smith, John Leineweber and me, had four principal areas of concern. One, ownership.

We had serious concerns about a densely populated building of uniformly low income renters, particularly given the lack of full-time staff on-site to oversee the property. We wanted some immediate stakeholders to be living or working on the premises. We suggested a mix of residential owners and renters as HODC has done at some of its other developments. While creating a cooperative now as REBA Fellowship has done at some of their properties in Southeast Evanston. HODC's response? Not possible because the financing will allow only rental use for a minimum of 15 years.

However, they will form a Tenant's Committee. Commercial space at street level. To spur economic development, to conform with the neighborhood plan and to create a more pedestrian friendly environment around the building, the neighbors asked for commercial space at street level, fronting Church Street. This would also introduce alternative stakeholders on-site in the form of businesses with a vested interest in the maintenance and general environment of the property's common areas.

An Evanston branch library was considered and agreed to by us neighbors and Developer. That was modified by virtue of a space allotted for this. Only 1200 square feet, as opposed to the minimum 3000 square feet which will be made available with the first floor modifications, which is not large enough for an actual library branch on Church. Also, the Evanston Library Board advised that the expense for this location was not feasible. Subsequently, Alderman Holmes reported that some neighbors voiced opposition to a quasi-library computer center at that location. HODC response to this request?

Most of the common area on the first floor is

reserved for storage, laundry and ECDC and HODC offices and a community room. Independent commercial users would require a carve-out of space from the LIHTC funding. Developers indicate that commercial space is not feasible. Adequate parking. The neighbors requested that HODC find a way, through TIF funds, home funds, for purchase of the land, economizing on construction where there's a wide swing between budget and proposed higher construction cost, nearly 1.2 million dollars, to provide the parking required by zoning, on the premises.

HODC along with the City Staff identified where additional spaces on the street might be utilized. As many as 28 parking, tightly North and South of Church on Darrow. Mr. Koenig also redesigned the parking lot to accommodate another three parking spaces by reducing rear yard set-backs and moving a handicapped space onto the street. The neighborhood groups were not happy with this accommodation. As it is anticipated that continued development in this neighborhood will quickly exhaust street parking, it is the neighbors belief that developers working in the Fifth Ward should be held to the same standards as all of the developers

in the city. HODC's response?

Because of cost and engineering considerations requirements, they are not willing to seek alternative financing to comply with zoning requirements with regard to parking. Inappropriate Density. Although this property is located in a B2 Zoning, the area surrounding the site is composed of two story, two-flats, single family homes and one or two story commercial properties averaging only 25 feet in height.

The neighbors feel as though this project, at 45 feet high and 97 percent lot coverage, will dominate the neighborhood physically and that it's residents, by their sheer number, may be significantly alter the tone of the community. Particularly their will be no full time site management or janitor. We asked that HODC consider reducing the number of units in the building to 18 by removing the third floor.

This would address our most serious concerns by modifying the sheer size of the building to 35 feet high, with 3 foot set backs on Church and Darrow so that it would fit more appropriately in the community's existing design. Creating a more manageable situation in terms tenant issues.

Building maintenance issues and traffic into and around the site which is already burdened by the truck traffic flowing to downtown Evanston and into the Onyx waste transfer station. Allow for the proper number of parking spaces required under Evanston's zoning ordinance. Result? Mr. Koenig stated that this will require modifying the IHDA application and that his Board of Directors had instructed him to abandon the project unless it could go forward as presented.

CHAIRMAN WYNNE: Mr. Sutton, I'm going to give you about three more minutes.

MR. SUTTON: Yes, I'm on the last paragraph.

CHAIRMAN WYNNE: Okay, thank you.

MR. SUTTON: Okay. It has been, it has become more apparent over the course of the past weeks, five meetings in all, that HODC really didn't have the ability to compromise much at all because of the application that has been submitted to IHDA for the LIHTC financing. To make any substantive changes would require that the application be resubmitted and his Board will not allow that course because of the resources that might be required to redesign the project.

While we appreciate that HODC has invested much time and money in bringing the proposal to this point, we feel very strongly that this dialogue with the stakeholders should have taken place before the application was submitted to IHDA. The neighborhood groups who oppose this project maintain that we should not bear the burden of the Developer's inability to modify this project because they finalized financing for a planned development before presentation Plan Commission, before presentation to the Planning and Development Committee, and before presentation to the legal stakeholders.

Like every other community in Evanston, the members of Community Alliance, Dr. Hill Community Associate, OLE, West Side Neighbors, and Mayfair Neighbors ask that our voices be heard. At the very least we demand that this project be in compliance with Evanston zoning ordinance as we believe a variance for this project will harm our community.

Therefore, we request that the Planning and Development Committee follow the recommendation of the Plan Commission and deny the variances requested for the Darrow Corners Planned Development. Thank you.

CHAIRMAN WYNNE: Thank you. Yes, if you have copies of Mr.? Yes, why don't you just pass that out. Thank you. While this is being passed out, I'd like to ask the Committee that we make the Sub-Committee report on Darrow Corners, dated today, part of our record. The Legal Department has indicated that we should include that in our records. Mr. Gaines, did you want to?

MR. GAINES: Will you also be making the opponents response part of the legal record?

CHAIRMAN WYNNE: This is what Mr. Sutton just read to us? Yes, then this would be part of the record.

MR. GAINES: Thank you.

CHAIRMAN WYNNE: Yes, all right. Want to step up? Okay. Now, Mr. Koenig, you don't have any new information do you?

MR. KOENIG: No.

CHAIRMAN WYNNE: Okay. And you don't have to be sworn then.

MR. KOENIG: Good evening, Council members. My name is Richard Koenig, I am the Director of the Housing Opportunity Development Corporation and on behalf of the Evanston Community Development Corporation we are the proposed sponsor of the Darrow Corners Project. Thank

you so much for having this meeting tonight and for allowing to go to the Sub-Committee process to go through and address some of the issues and some of the concerns that were brought up.

When we started the Sub-Committee process, we were faced, we were given a list of 10 community issues. Four primary and six additional issues which we covered throughout the process. The issues as identified were: Ownership, Management, Commercial Space, Parking, Use of Minority Contractors, Traffic, Land Ownership, the Memorandum of Understanding and the EPA information. As a member of the Sub-Committee, Dino Robinson, John Fuller and myself started to address these issues and we had considerable dialogue about a lot of the issues and so I'll mark off some of the easier ones that we addressed very quickly at the beginning of the meeting.

One was regarding the minority contractor issue, we had promised previously and continued to promise that we will give local hiring preference to local minority businesses in Evanston and that's something that we had long promised and will continue to reiterate. That's something that's a priority for us. An issue was traffic and we agreed that we would work

with the neighbors to try to address issues of traffic concerns primarily caused by Onyx, to try and make sure that those issues are addressed for the neighborhood. A question was raised regarding land ownership.

The, all of the land, all three parcels, the two that HODC owns as well as the parcel on the corner will be owned by the partnership. There will be no secret hidden partners, we have laid out exactly who everyone will be that's involved in the partnership and will be owning all of those lots. We shared also the Memorandum of Understanding between HODC and ECDC.

We have agreed to share the proceeds of this project with a community organization to provide some seed capital to help the organization be able to afford staffing, we've offered them the space within the building, and so we've really worked, I think, gone above and beyond what a lot of other developers have offered funding for the trust fund, to actually provide money for a community organization to give them some legs.

In addition, the EPA issue regarding the possible contamination of the site, we have already spoken with city staff and with the EPA to clean up the

environmental concerns, to address the tanks that are in the ground and make sure that that environment issue is cleaned up and taken care of. So those are the easier things that we've agreed to, there was not much disagreement about that, but we wanted to be clear that those we raised as issues and we have fully addressed all those concerns.

Regarding the issue of home ownership. We have offered through this proposal, when we started talking about the project about three years ago, we were looking for a way to start community revitalization along Church and Dodge. And we explored issues of, through the Evanston Community Development Organization, explored issues of rental housing and home ownership and try to find a way to get a building built on area that's very expensive, construction costs are very high. And we explored many ways that that could be done.

As we have explained, this was the model that we arrived at, is to create a way to provide funding for the community to bring over 6 million dollars into the community in order to create an opportunity to give people a decent place to live now as well as a long term ownership opportunity. We did explore a lot of issues

through the process, such as going through using a Co-Op model. Going through some of the alternatives and what the conclusion is, is that that costs a ton of money and it would require the city putting in a significant amount of money. Not just a little bit here and there, but a large, large amount of money and we've already secured that financing.

We went out in good faith and said, here's a proposal, that through the process we've discovered that this is a proposal that certain members of the community think is a good idea. And we went out and we secured that financing, based on the type of model, the thing that we wanted to be able to get built in the neighborhood. So the financing really followed the model, and the fiscal reality of what it takes to get something built on this site as opposed to the development following the financing.

The financing followed along with what it was that we needed to get built, get a building constructed in that area would be very expensive, and so that's, to be able to put that funding together. We have agreed to, we've guaranteed the fact that we will be selling these units to the occupants of the building after the

15 years. So in the year 2023, assuming everything is approved, the financing gets done, the building gets constructed. Then that year we will sell, the partnership will sell the building, HODC will acquire the property and sell those units to the people who are living there.

In the event that HODC is unable to do that, we have agreed to give the tenants themselves that ability to buy that building. So that they then can sell it to themselves. Part of this process, we recognize the fact that it takes a long time to get there and there are a lot of steps involved in the process, it makes it very complicated. But we are committed to providing the ownership training, we've committed to providing the Tenant Organization to get an organization up and running, to teach them how to run meetings, to get tenants involved with budgeting and then in the end of 15 years, if all else fails, they will have the right to buy the building and buy their units and sell that to themselves.

So there's a built in guarantee for that to happen. We've talked about the Equity Savings Plan and agreed to have tenants saving for a down payment and

we've agreed to match that funding. And we had originally agreed to match two to one and through that, through the community process it was suggested that for certain tenants we give them an additional match of four to one, which we've agreed to do for tenants who have been there for more than, more than the ten year period to give them an additional incentive to stay in the building, to give them the opportunity to buy their units. The other large issue we discussed was property management. And that included a lot of discussion of social issues and who's going to be living there and how will we be dealing with tenants, how will we be working with them.

HODC provides professional property management. Our style is very hands-on. Tenants know who to call, they know to call our office, they know where to get a hold of us and the reason we do our own management is because we found that other management companies are not as receptive. They're not responsive to the tenants, they don't provide for the tenants needs like we do, and we think that it's really important that tenants know who to contact and know who the landlord is. We have a constant presence at all of our sites.

That's not to say that issues never come up, but when they do, we get on them as quickly as we possibly can and we make sure that we continue to be good landlords. We recognize that getting the building built does not mean success. Offering the building for the long-term means success. Success for the community, success for the tenants that live there, success for the neighborhood. That, part of that process, of course, involves thorough screening. And the screening process has to be very detailed and we've gone through some of those details, so I don't need to re-cover that, but we have committed to involving people from the community in that process.

We've offered a seat on that screening board, through, to the Community Alliance as well as to ECDC to be involved with that screening. We recognize that good management is the key to long-term success for this building and all the other buildings. So we have agreed to bring additional staff to this building. We talked about having a half-time maintenance person, we've agreed to hire someone living in the building to be a management aide on-site and HODC is going to need another property manager who'll be providing regular

office hours on-site.

We'll estimate that they'll be there 20 hours a week to provide for the needs of the tenants. In addition, with ECDC having its offices located there, there will be a constant presence on-site. It's not only someone who works in the office, but also HODC staff on regular office hours, in addition to random times when the tenants stop by so they can't get, tenants can't get away with things when know that management's not going to be there. There will be a constant presence there on-site and it will take the community doing that as well as HODC and ECDC working together to make that happen.

We did address the issue of commercial space and we all have strong agreement that the commercial space, the space on the first floor should be active, used space. We disagree on exactly how that use should be. We don't believe that there's a need for a retail type space in that area and it would be worse to have a vacant space than to allow that space to be used for community purposes. We want to have a place for the people in the building to have a place to go to have their resident's meetings, to have a place to go for

their training sessions. To have a place to go through all the program that we've talked about.

We actually started to put together a calendar, and came up with a list of about 20 different organizations that would be interested in coming in and providing training such as the job training and the home buyer counseling and all types of other training in that space for the tenants who live in that building. We had offered to make that space available to people outside the building, but the community felt that that was not a good idea, so we've withdrawn that. And we'll make that space available for people living in the building to help work on issues that they think that they need to work on but to give them a space to congregate, to get together, and to become a community within that building.

We've addressed the library issue and are interested in pursuing some sort of community use. Whether it's a legislative outpost, or, there's other alternatives that I think that we can explore in redesigning that area and coming up with a use that would really be a great asset for the community. Of course the issue of parking is one that we recognize and

it was something that we had asked for a variance. We still believe that there are sufficient parking spaces for the tenants who'll be living there.

That's based on the three factors that we had talked about before. One, the current HODC tenants have less than one car per family. Neighborhood residents average about 1.2 cars per family and this building adds 1.1 cars per, for household and nationally, most cities that have affordable housing available, they talked about inclusionary zoning or have set-asides available for affordable housing, allow lower density parking because they recognize that the tenants in the building will have fewer cars, that the tenants will be able to use public transportation, it's right there on the bus line, so that's really a great asset. This is a perfect location for providing housing like this based on those types of assets.

We have, however, when working through the committee and through great suggestions, found a way that with a few modifications and, unfortunately asking for some more variances, we could squeeze out a few more spots within the site. And that's something that's summarized briefly in that memo, but if we reconfigure

some of the spots on the inside, if we address squeezing some of the parking spaces, we can possibly fit up to five additional spaces right there within the site.

So to provide those additional housing, in the, if the Council is interested in having us do that, to squeeze those spaces out, we can discuss that a little bit further. We did agree on some of the other issues regarding putting up the fencing on the West side as Alderman Jean-Baptiste mentioned to you, a wrought iron fence to create something that would be attractive, that would be an asset. We've agreed to put in the sliding door for the access from the alley, an overhead door.

And so, I think that we have, we have gone through the process and we've appreciated the input and we've tried to make this the best building possible. The form of the building is, again I must say, it's not driven by the financing. The building that we're building is going to provide a mix of one, two and three bedroom apartments. It's very rare in the affordable housing world that you can get three bedroom apartments.

That of course, raises the issue of parking, because of the additional bedrooms that we're going to

make available so that families with children can actually have a decent, affordable place to live. So the issue regarding the units, the reason that we have the number of 27, is that, that's the number that fits comfortably within the site, within the zoning envelope. We're not asking for a variance on the height, in fact we're right at the height.

In fact on our PD, we could go up a whole nother story. We're asking for 75 percent of the total number of units which could be allowed, per the zoning on this site. The zoning would allow up to 42 units and if you put in 42 one bedrooms, you could easily fit the parking there within the site by putting in a lower level. But that's not what we're proposing. We're trying to make affordable that would fit for a range of people.

For people that need one's, two's and three bedroom units. I've gone through the neighborhood plan trying to figure out where I missed that language, that the building should be smaller. Because in essence, what I learned last Friday, through the review process, is that I'm being asked through HODC, through the development, through the project, is just to make one

change. And that one change is to lop off the top floor.

It's been said that that would address some of those issues and so I wracked my brain and I read the plan over and over this weekend trying to figure out where I missed the fact that we should be building below what's allowed, where we should be doing, looking at something that would be a lower density zoning, and issues in the neighborhood plan addressed industrial uses.

They addressed the R-5 issue, and really the issue did not come up through the neighborhood plan process and so, through the community process, since meetings in 2003, in May of 2004, where we presented this proposal and in all the other community meetings that we've talked about and the people that have been involved with process. I think what we've come up with is a site that, a site plan that fits within zoning, that provides a range of opportunities, it addresses a number of issues that otherwise would not be able to be addressed without taking any significant impact or any funding from the city to create such a valuable asset.

I recognize that this meeting tonight, and

what we're asking for tonight is to, is for a decision about whether or not this is something we can go forward with and working in the community. But this is not the last meeting, by any means. There are still many issues to be discussed. We recognize that we have to continue to talk about other types of issues. We need to talk about how the community space will be utilized, and we will continue to do that. We know that we need to go through the selection process and make sure that that is discussed so that everyone feels comfortable with that process.

We know that we need to talk about landscaping. That was something that wasn't specifically addressed as one of the top ten issues, but we have agreed to add additional landscaping. We had talked about putting landscaping in the parkway, putting trees. We're talking about limiting curb cuts off of the street, but we've, in addition, we've agreed to, on the first floor, push in along Church Street, to create an arcade area where there will be planters placed in there, where the set-back on the first floor would be back three feet where we'd put in planting.

We've agreed to put in plantings along Darrow,

all the way up along the street where there's parking, up along the, along the street, from up to the alleyway, we've agreed to put in planters there so that the lattice work, so that vines can grow up the lattice work, so that the cars will be hidden. To put in additional planting, to put in bushes and flowers and to really make it, not only plantings along the parkway, but plantings through the process we've discovered that it's really necessary to really shield the cars and create a really beautiful asset so that people walking up that sidewalk can see the beautiful landscaping that we've put there.

So this is not the end of the journey, this is just the beginning. We do recognize that we will continue to talk with the community, we'll continue to work together, we'll continue to iron out some of the other details. So I wanted to thank you all for going through this process with us. I wanted to thank you for having the Sub-Committee process and again for your consideration and time. Thank you very much.

CHAIRMAN WYNNE: Thank you. Thank you very much. All right. All right Committee, discussion? Alderman Tisdahl.

ALDERMAN TISDAHL: Thank you Alderman Wynne. Mr. Koenig brought up the neighborhood plan which is what I had wanted to discuss tonight also. I received a call from someone who said she would never have bought a home in this area if she had known we weren't going to follow the neighborhood plan. Well, we voted on the neighborhood plan, we agreed to it, so I went back to look at it to see what it says. And it says on page eight, three, the developed neighborhood retail service centers, the three locations within the study area, Ashland Simpson, Church Dodge, the Green Bay Road corridor.

These three areas are envisioned as predominantly neighborhood oriented commercial areas serving the retail and service needs of the local community. A number of the needs have been described through the planning process. Restaurants, coffee shops, local branch bank, local immediate care center, and then it goes on. On page eleven, Goal Two. Develop neighborhood develop neighborhood retail service center at Church Street and Dodge. It says Church and Dodge is the historic retail center of the Fifth Ward and home to ETA Chess, despite its past as a nexus of African-

American business and community life in Evanston, this commercial area has experienced economic decline and social stress.

What once was a viable neighborhood business district now has few local businesses and it goes on to discuss the need to develop commercial enterprises. On page 24 of the neighborhood plan, it, there's a discussion of maintaining affordable housing. And it says they want to maintain affordable housing units and increase home ownership. And that's a goal throughout the plan is to increase, thank you Alderman Rainey, to increase home ownership. On page 23, it discusses a decrease in the number of percentage of home owners in the study area. It talks about the number of dilapidated buildings.

Mr. Wolinski has told us that fixing and selling affordable, fixing and selling dilapidated buildings in an area, increases the value of the area and can provide affordable units. I have been over this plan and on page 9 it does talk about providing affordable rental for locally employed Evanston residents.

But I can understand why the woman who called

me felt that this project was not the sort of project that we had okayed and in voting for this neighborhood plan and so I am reluctant to support a project, having voted for the plan, that I cannot understand how it, how it complies with the plan. And I wish that Mr. Koenig, who I think has done a wonderful job at the financing and is a great guru at that, but I wish that he'd had a chance to look at the neighborhood planning report before coming up with this project.

CHAIRMAN WYNNE: Alderman Jean-Baptiste.

ALDERMAN JEAN-BAPTISTE: Alderman Tisdahl, if I followed you correctly, you said the plan called for development of commercial business districts.

CHAIRMAN WYNNE: Alderman Jean-Baptiste, is your mic on?

ALDERMAN JEAN-BAPTISTE: Yes. Development of commercial business districts. This one, maintain affordable housing, and increase home ownership and then to provide rental housing, affordable rental housing. Did you say that?

ALDERMAN TISDAHL: Those are on the list, yes.

ALDERMAN JEAN-BAPTISTE: Those were the three categories, right?

ALDERMAN TISDAHL: To maintain affordable housing and increase home ownership, yes.

ALDERMAN JEAN-BAPTISTE: Yes, I repeated that. Develop commercial business districts, right?

ALDERMAN TISDAHL: Yes.

ALDERMAN JEAN-BAPTISTE: Maintain affordable housing and increase home ownership and to increase availability of affordable rental housing.

ALDERMAN TISDAHL: For locally employed Evanston residents, yes that's what it says.

ALDERMAN JEAN-BAPTISTE: Okay.

ALDERMAN TISDAHL: But it also talks about the decrease in the percentage of homeowners and the increase in the study area of the number of people who are renting. Which is why it puts an emphasis on increasing home ownership.

ALDERMAN JEAN-BAPTISTE: I understand that. So having mentioned those three aims of the plan, you then concluded that this particular proposal is incompatible with those. Can you maybe elaborate that, because I'm not sure I'm seeing how you get to your conclusion.

ALDERMAN TISDAHL: Okay. I would be much happier if there was retail or commercial space on the

first floor. That would solve one problem for me.

ALDERMAN JEAN-BAPTISTE: Okay.

ALDERMAN TISDAHL: The second is if home ownership happened sooner in an area where there's a decreasing amount of home ownership and an increasing number of people renting. If part of the, if some percentage of this was immediate home ownership, and if it didn't take 15 years, I, it's difficult for me to consider the, this as providing home ownership when you have to wait 15 years.

ALDERMAN JEAN-BAPTISTE: Mm-hmm.

ALDERMAN TISDAHL: To me this is a rental project for quite a long time.

ALDERMAN JEAN-BAPTISTE: What about the notion, the goal of increasing rental housing?

ALDERMAN TISDAHL: It says provide affordable rental for locally employed Evanston residents and that is the one goal that I do think it meets. And I put that in because it was in the plan and I wanted to be complete. It does provide affordable rental. I don't know that it's for locally employed Evanston residents, although that's what the plan calls for.

ALDERMAN JEAN-BAPTISTE: Okay. Could I just

ask you, you've been able to take a look at the commercial spaces in that particular area, right?

ALDERMAN TISDAHL: Yes, I have.

ALDERMAN JEAN-BAPTISTE: And do you find that it's fully occupied?

ALDERMAN TISDAHL: No, they're not fully occupied. I'm not sure that all of them have been kept up to the level where they're expecting to be fully occupied right now.

ALDERMAN JEAN-BAPTISTE: So you're saying maintenance is the basis of their low level of occupancy?

ALDERMAN TISDAHL: No, I think there are multiple reasons, but I certainly think that having a commercial area is something that is in the plan and is something that the plan says we should strive for and I voted for the plan and I therefore think that, yes, you probably can if you work on it hard enough, get commercial occupancy. I'm not sure that retail would work right now, but I think you could probably get some commercial. And I am very concerned about a large room that I don't know what's going to happen, you know, I don't know what use it will have.

If in a pedestrian friendly area, you don't have a large empty room. You're supposed to have a vibrant street life, you know, with I think commercial would be better than the large room. And some of the photos that we were shown of other projects with community rooms, it became clear that these were senior affordable housing areas. Where there were people that were living in the building all day long so of course, they were in the room and made more use of it than in a building where I would hope that people would be going to jobs.

ALDERMAN JEAN-BAPTISTE: So are you saying that every project that may be developed in the area, one, has to build with increasing, at least adding some more commercial space in the area even though we have a number of commercial spaces there that are under occupied or unoccupied?

ALDERMAN TISDAHL: We also have rental areas, rental spaces there that are not occupied, so, we're putting in more rental.

ALDERMAN JEAN-BAPTISTE: And what is the problem with occupancy of the rental space that exists now. See, I'm trying to understand the conclusion and

you may be totally right, I'm just trying to understand how you get to the conclusion you got to. The other thing is, increasing home ownership.

So you're saying every project that is proposed for the area, going forward from the plan, if it doesn't serve the specific purpose, at least one of its main tenants, to provide more home ownership, then we don't need to have any development going on over there? So a vacant lot is preferable in terms of the conclusion. And you're saying that if a rental housing is, has gone up, we have to guarantee that those who have gone in there are locally employed?

ALDERMAN TISDAHL: That's what the plan says, that's not what I said.

ALDERMAN JEAN-BAPTISTE: I understand that, and I'm asking you is that what we have to guarantee or else we have no development going on in the area. Because it seems to me those three items you're talking about, one, you know, without some kind of density in the area, commercial space will continue to be vacant. Two, maintaining affordable housing and increasing home ownership, you know, is a product of the market.

Are people going to buy and where are they

buying. And I think that, I'm not sure we have a whole bunch of homes that are rented there, I think we have many more homes that are owned and occupied by the owners in that area. So I don't, I'm not seeing a whole bunch of vacant homes sitting there.

And thirdly, the rental housing for locally employed, I would think that those who would seek to rent there would include those who are employed in the city of Evanston. So, if there were some other factors in the plan that you saw that led you to the conclusion that you reached, I could understand it, but I'm just trying to, it just.

CHAIRMAN WYNNE: Why don't we let, why don't we let Alderman --

ALDERMAN JEAN-BAPTISTE: You're sitting through the committee and going through the discussion --

CHAIRMAN WYNNE: Alderman Jean-Baptiste let's let --

ALDERMAN JEAN-BAPTISTE: That was never an issue that was advocated for.

CHAIRMAN WYNNE: Let's let Alderman Tisdahl respond, because you've asked her a number of questions. If she'd like to respond.

ALDERMAN TISDAHL: Thank you Alderman Wynne. First, in the report and then now I'm not going to find exactly where, but it does talk about, aha, there are a number of parcels in the study area that are deteriorating, boarded up, or under utilized.

In addition, not all property owners demonstrate commitment to the overall well being of the community in terms of their property maintenance and management practices. Upgrading or redeveloping these areas will require significant property owner involvement as well as investment. All that I'm saying is that Mr. Wolinski said at one point that it does help to revitalize an area if you purchase homes that are boarded up or dilapidated, rehab them for affordable housing, that that's a very successful way to both provide affordable housing and to revitalize an area.

I support Alderman Rainey's suggestion that we have a referendum and that we spread the, that we spread the joys of supporting affordable housing throughout the entire community through a broader group and that we put that money into rehabbing buildings and providing some immediate home ownership. I very much hope that we will do that. This neighborhood plan may say to you, when it

talks about the importance of retail and commercial on the first floor of projects, that the plan that Mr. Koenig has proposed, which has a large community room on the first floor instead, it may, to you, seem to be in sync with this plan, to me it isn't.

Does every single building that is built in this area have to have commercial on the first floor? Absolutely not. But this is one of the first, and we just passed this plan. And all of this is being done with tax payer money, so I am somewhat confused since according to one of Mr. Koenig's statements, it could have been designed to have commercial on the first floor, but not with the current financing. I am confused as to why it wasn't. I think that would have been, as I read the plan, which calls for commercial and retail on the first floor, that would have been more in keeping with the plan which we all passed. We all voted for it.

ALDERMAN JEAN-BAPTISTE: May I just ask her one more question?

CHAIRMAN WYNNE: Yes, but I have two other Aldermen on the list.

ALDERMAN JEAN-BAPTISTE: Okay.

CHAIRMAN WYNNE: Is it a brief question?

ALDERMAN JEAN-BAPTISTE: Yes, I was going to ask her, so are you saying that if this had commercial space on the first floor then you would support it?

ALDERMAN TISDAHL: If it had commercial space on the first floor and it had some portion of it had, provided immediate home ownership then yes, I would support it and I hope to support it. I hope that we'll be able to resolve some of the problems with it. That I see with it.

CHAIRMAN WYNNE: Alderman Holmes? And then I have Alderman Bernstein.

ALDERMAN HOLMES: Oh, I just wanted to follow up with what Alderman Tisdahl was saying, if you, where you just finished reading from, Alderman, if you would read the next paragraph that states the manner in which this is pursued is crucial to increasing the offering of local housing opportunities while minimizing displacement of moderate and low income residents. And I also wanted to follow up by saying that you made a statement that you wished that HODC had looked at the plan before developing this project.

I wanted just, I can't speak for HODC, but I

want to say that there was lots of looking at the plan from many of us who live in the community who had worked on the plan before contacting HODC to become a part of this. And I'm speaking now with an old hat, when I was a part of ECDC. So the plan was very definitely looked at and I think it is a matter of opinion in terms of how you interpret the plan. Whether it is in, that this project is not following the plan or is in conflict with the plan because I happen to disagree with that.

CHAIRMAN WYNNE: Alderman Bernstein?

ALDERMAN BERNSTEIN: Thank you, Madame Chair. I come at it a bit differently. We all have sat up here and overlooked comprehensive plans, zoning ordinances, when the end-game met the needs that we were trying to fulfill. But what moves me about this particular neighborhood plan and it's unique to this group of objectors, is that these objectors were not just reacting to a program. These objectors were in fact pro-active and they were developers of this plan.

These people have been meeting with Alderman Holmes for years. So I'm not as concerned about the letter of this neighborhood plan, but its spirit. And I think the spirit was to rebuild this neighborhood,

which, in all my years on the Council we've conceded needs a great deal of rebuilding. The question then is how to go about rebuilding and from a zoning standpoint, I think this project proposes to overbuild the lot no matter what's in it. And I think that's one thing. The fact that it doesn't come up to the level of PUD's that you could conceivably ask for, is irrelevant to me. It leaves no, no space of anything. No breathing space on the lot whatsoever.

The parking is very important in that area. The fact that we can develop 30 additional spaces, if we do our jobs right, we're going to need those 30 additional spaces because there will be some, please god, some life breathed into this area. So, when I look at a project from a zoning aspect and it calls upon me to extend variations, I then look to public benefit. And to me, the public benefits here are too remote. And too obscure and too, too iffy. There are no guarantees in this plan.

I do a lot of work with condo organizations and I know how difficult it is for people who are invested in a condominium unit to give time to a condominium association. To think that there's going to

be a tenant organization that's actively running this building begs my frame of knowledge. I don't think it's going to happen. I think that tenants are tenants and I think that's largely what is the concern of the neighbors in the area. Another concern is the, we, none of us gets tomorrow. That's the same for individuals and for not-for-profit groups. We're putting a whole lot of faith on the continued existence of HODC and continued viability of HODC and I've indicated that to my knowledge, HODC, Mr. Koenig specifically, is probably the best at what he does in terms of financing these projects.

But it begs the question to me for him to say that the financing isn't driving this project because the 15 year pay back is the very reason that there cannot be any home ownership until 15 years. But then, there's only a right of refusal in HODC initially. So if they choose not to, if the corporation wants to sell, the owner corporation wants to sell, HODC, if in fact it's still in existence, or a successor to it, has an opportunity. If they choose not to, then it goes to this group that's going to be formed from a tenant's organization. Which again I question will ever exist.

Then, there is no option to purchase. Unless these two pre-conditions happen.

It's just so remote for me to believe that people are going to try to buy in. Now they talked about Co-op ownership, they talked about any form of ownership initially negates the entire credit situation that this whole six million dollars is built upon. It can't happen. There cannot be any ownership earlier than 15 years and that to me is questionable whether it's ever going to happen. You weren't here for the last meeting when the consultant who talked about our revitalizing, our planning and development methods and our methodology of how we view a project and what we do. And in effect I asked him, if you build it, will they come? In effect. Meaning, just because this is not a great project, should we take it because it's better than nothing.

And I've made the argument historically that sometimes it is better than nothing. But we're at the very beginning. And in order for us to be true to the mission that I hope that we're here about, we have to go out and create a vision for that area and then reach to that vision. We cannot react. I think that this

project may well be suited for other areas. But I just don't think it's appropriate for that particular area. The fact of a, an unsupervised 1200 foot space just boggles my mind. Because I perceive who is going to be hanging out in that space.

Okay, now we're going to preclude people from the neighborhood unless there's renters, but there's going to be renters in the building who are going to have friends coming in scares me. I don't want that to happen, all right. Now, it's a wonderful thing that we're not being asked for any city's funds. And the other night Alderman Rainey made a statement with respect to a request for funds, about why don't agencies get together?

This is six million dollars that's going to be spent for affordable housing and Marty Stern said it was consistent with the reality, but to me, $389,000 rental units are *really* expensive units. And I'm putting, you know, I'm just trying my best. And I was not excited about the project initially because I know the people who are objecting. And I know their commitment to the community. And I know that they're good people. Now, on the other side, I know the current leadership of ECDC

and I love them, but I just think that there's too much, too much fat in this particular budget for a couple not-for-profits and too little benefit for the public.

I need to see home ownership, I need to see retail in that area. Because that is one of the corners. If we give it away now without retail, we don't have any areas to come back. There are some vacant areas. Are we going to go and kick Onyx out? Which I'm guessing, you know, some people who are developing the area would like us to do because the values of their property would enhance. But, I mean the reality is that there will be development in that area because we're going to make it happen.

And I think that the best way to make it happen is to, to try to find something that feels better. And that's all I'm saying and the bottom line is, it doesn't feel right to me. I think there's just too much want to, too much hope, too much speculation, and I just don't, I don't feel comfortable with the players on whom I'm going to have to place my hope and needs for the next 15 years. So I can't support this now. I don't know that you can go back to the drawing board, I saw, you know, a valid attempt to negotiate.

But the reality is, when the financing mandates a 15 year period, you can't do much about it. You could cut off the top.

Well, you know, then you have a smaller project of a similar nature. I think that, I got a call today from a zoning lawyer in town who has a person who wants to buy this land. Well, we all know that there's going to be 100 people who want to, 100 people who have projects, and it may be a while. Dino sent us a letter and saying, well, if we don't accept this it might be another how many years before we get anything in this land. I hope that doesn't happen. But at this point in time, I'm not wedded enough and not convinced enough in this particular project not to take a chance that we're going to do better in a very short time to come. So, with reluctance to my brother and sister aldermen who are very concerned and vested in this project. I cannot support it.

CHAIRMAN WYNNE: Alderman Moran?

ALDERMAN MORAN: Thank you. First let me say one thing. You know, Steve was just mentioning hope and I want to talk about hope for a second in relation to this project. You know, ten years ago this Council sat

down and made up a list of priorities that we should work on over the course of time. And the number one priority was to do what we could for the West side and specifically the Church/Dodge area.

Tonight we are presented with a proposal to do something about that. Since that time I have carried the hope that there would be people of good will and hope who would come forward and make proposals that would help build momentum in that area that we have observed many times has been absent. And tonight is an opportunity to look at that hope. From another perspective, I am just lost with this notion that by proposing a building that is rent-to-own, and so that people understand, the people who rent units in this building will have the opportunity to purchase their units over the course of time.

It's also important to observe that in part, the size of the proposed building, has resulted from the desire to build 27 residential units, numerous of which, all of which will ultimately be attractive to people who will want to have equity ownership of those units. And people keep talking about size, and they forget to mention the fact that the size element is driven to a

large degree because there is hope that renters will ultimately own these units. I do not despair and I do not lose hope when I hear that a building will initially be a rental building.

Evanston is legendary for being a stepping stone for many people who are starting life and, adult life, and building families and the first place we have, and for a lot of us the second place, and the third place that we live in, are apartments. I reject outright the notion that this building, or any other building in Evanston is a potential blight on our community because it might be a rental building. I reject that. I reject the notion that renters cannot be stakeholders in the community. I know people who own property in this building that I don't consider to be stakeholders in this community. They don't do the right things. I see it all the time.

So, so to say that an owner, an equity owner is a stakeholder and a renter is not, is, well, it's wrong. This is a place, that other people have talked about this and are better informed than I, but I've heard people refer to this lot as being empty for at least 30 years. It's most likely polluted because it

was, at least at one point I'm told, a gas station. We have a place that, to some degree, is exemplary of the fact that we have not progressed as much as we should, when we have a good sized lot, in a very prominent place in our community that has sat empty and contaminated for 30 years.

And there are people who are, obviously not satisfied with this proposal, but when I say, what is the recourse, that we continue to look at this empty contaminated lot and say, you know, you know, if not here, where, if not now, when. We need to do something and we've got a proposal here to do something. A lot of discussion about how this project is to be financed. But the plain fact of the matter is, is that we have an unusual opportunity. We have people like Optima and Roszak who come to us and ask us for concessions for them to build their buildings. And we've made huge concessions to them, for opulent housing.

We have here a project for low to middle income people who I would have thought, if we were ever to make any progress on a situation like this, that the coffers of the city of Evanston would be drawn down to a huge degree and what we are presented with here is a

project that indicates that our coffers will not be drawn down at all. There is a financing mechanism that HODC is using that allows us to avoid making any specific dollar commitment to the construction and propagation of this project.

And I take that as a significant benefit to the community at large, because people who are willing to invest in investment tax credit plan for the construction of this type of housing are willing to make those types of commitments, it's good for them, and it would be good for us. If for no other reason, than we don't have to pay out of the city treasury to make this happen. The question of home ownership. Home ownership is not a thing that's easy in Evanston, regardless of where you are right now. I have two kids, one who's in her late 20's and one who's in his early 30's who can't afford a house in Evanston and I don't know when they'll be able to.

So there's, if people want to break in in Evanston, if they want to live in Evanston, and I think that people should want to live in Evanston, I know I have. You've got to work your way up the ladder. There's the, you know, that's just the economic reality.

You can't get away from it. You, somebody, you've got to get that one bedroom apartment, if you're lucky two bedroom apartment, work your way up and maybe ultimately you'll be able to get the money to buy a home. But that's not, that's not bad. That's hope. I see hope in that. Evanston has always provided that hope.

You know, one of the beauties of our community is we have this diversity in our housing stock. Where, where people, you know, it's not like Lake Forest. You don't have to have a million bucks in the bank to just enter this community. There are other ways of doing it and this is another way of doing it. HODC in its conversation with the Sub-Committee and other forces within the community, has, from my perspective, come up with some good alterations to the plan that will make sense. And Richard, and I'm not going to repeat them, Richard recited them for us. But it's not true that they have been categoric in their approach to this plan.

They've stood their ground where they had to stand their ground. There's been concern that they haven't compromised enough. I think they have compromised on a number of situations. The places where they haven't compromised are the places where they don't

have the flexibility to compromise where this particular financing plan demands certain things of them and that's been referred to here tonight even by the objectors. So I think that we have to say, this is the reality, the economic reality is that certain things have to be done a certain way. Others we can nip and tuck and improve and I see that that is happening.

With respect to the parking question, Jim Wolinski did a study in relation to parking in the city of Evanston and has related it to two particular census districts that are in and around this particular area. Now, the original proposal, maybe not the original, but the one that's come forward most of the time by HODC is that they would have 30 parking spaces for 27 units. So that's 1.11 parking spaces per unit. In the two census tracts that are most relevant to the location of this particular project, 8092 and 8096. Looking at both vehicles available for owner occupied housing and vehicles available for renter occupied housing, the average vehicle demand cumulating, accumulating both of those categories of housing is .99. And that is in the May 3, 2006 memo on this subject. The data of which was collected by Jim Wolinski.

The proposal that Richard came forward with for HODC was 1.11 which would be, if this scenario were to hold true, is in excess of what the automobile demand, parking demand would be for this particular project. But we don't have to be satisfied with that. Because one other aspect of having this dialogue, which I give credit to both the objectors and the proponents for, and for our city staff, is that there has been a proposal brought forward to add 69 street spaces on Darrow north of Church and 12 spaces on Darrow south of Church. So, we not only have the provision of what should be, and I recognize that it's not completely inconsistent with the zoning requirements. I understand that.

But, of course, the zoning requirements are set up on a broad basis. They're not meant to address strictly an affordable housing project which, I think logic tells us that there's going to be a lesser demand in that situation than the entire panoply of situations. But we've done better because we've found 28 more spaces that could respond to this situation. Not only this situation, but the whole neighborhood, because my, as I add these numbers up, I suspect that if we proceed

with that plan, and I'm prepared to do it, that actually other people in the community will have more available parking.

I don't expect that these additional spaces will be drawn down on by residents in this project if it goes forward. HODC also, as Richard said earlier, worked hard to come up with the redesign so that it's possible to add another five spaces which would bring it up to 35, 35 spaces for 27 units which will get it to 1.25 or close there to. Again, following the statistics that we've been cited by our Community Development Department is well in excess of what should be needed for this particular project. We've addressed the home ownership because there will be a time when the units in this building will be owned by people who are living there.

I believe that this community space, I think can provide a benefit, but I think over the course of time we can all have hope that if it doesn't work out, we have significant resources in this community that will find apt uses for that space and I think everybody's going to feel ownership in that regard and want it to work and I think we will find a way for it to

work. HODC has made commitments in terms of additional landscaping, made commitments in terms of additional set-back.

The project, Church Street Village, which is going to go forward and will be east of this project, and which I derive hope from as I would from this project as well is going to be a good addition to that area in land that is not being utilized in any positive way right now. But it will be a project of, I think we stopped at 40 units, 40 or 41, with pricing at, between $340,000 to somewhere in the low to mid 400's I believe. I feel that this Council would, if it did not come up with an affordable housing proposal in this area, that did not have a substantial rental component, that we would be sending a signal to this community that we were turning our back on it.

One of the concerns that I have had has been, as much as I support the Church Street project, I can see some members of the community seeing a project that contains units that are selling for 340 into 400 as not being affordable. Although in point of fact, on a relative basis, they are affordable in Evanston. When you see every new house that goes up, it costs between a

million and a million seven now. 340,000 amazingly is starting to look affordable in Evanston.

I didn't think I would see the day when that would be the case, but it's true. Now, if we just stop there, it wouldn't be, it would not, in my view, foster a positive outlook to the community on the west side. To say, we're going to come in, you know, with townhouses or condominiums, they're going to be in the 300, $400,000 range and then we're just going to march right down Church Street and we're going to put in more and more and more of that. I think that we'd be turning our backs to the community by suggesting that that's all we want to see. And it isn't all that we should want to see.

We should have rental affordable housing in that area. And this will give us a chance to do that. I don't see any of the public benefits related to this proposal as being remote. I don't see them as being hopeless, I see them as being extremely hopeful. I see this as a tremendous potential benefit to the community. We did adopt the neighborhood plan and I wholeheartedly endorsed it because it's been my hope and my desire that the west side, with everybody working together, will

move forward in a positive direction. People will feel included, and that was what a lot of the work in that plan involved and I'm fully supportive of it. I'm fully supportive of it.

Does that mean that I think that every single incremental element that could go into, that could relate in one fashion or another to that plan, will be a perfect replication of every specification in that plan? Reality and practicality and my life experience tells me that that is not going to be the case. It's not going to be perfectly in conformity with every aspiration that's annunciated in that plan. But you know what? Having proposals that get close? That means a lot to me, you know.

Somebody said a long time ago, they said you know, politics is the art of the possible. I didn't understand what they were saying at that point but I know better now, I mean that was a long time ago, it was like 30 years ago, now I understand, I've come to understand what they meant. And it means that, you know, nothing's ever perfect, but the political process suggests that people get together, they have good faith, well reasoned, heart filled arguments about what exactly

is the right plan and then ultimately you can come up with something that makes sense.

Everybody may not be perfectly happy but what, you know you have a good situation when the community is moving forward. Maybe not perfectly in conformity with some prescribed plan, but when you're hitting on most of the major points, you're making progress. This project will allow our community to move forward in that direction. It's consistent with the spirit and the letter of our establishment of the TIF in this area. And I believe it's consistent with the overall spirit and criteria set forth in the neighborhood plan which I support.

I support the neighborhood plan. So I urge my colleagues to please consider supporting this. I think that this is a positive plan, I think it's a good plan, I think it's going to help us move forward, I would beg of everyone who sees deficiencies in the plan to continue to work. We will continue to work with you. I believe that HODC will continue to work with you. We need to get behind it, it's been a hard road, I understand that. I believe that people have made their arguments and their positions in good faith. I accept

that completely. But I think that this is a time where we as a community, all of us, need to start pulling together on this. If we see problems with it, let's address those problems where we can, where we can, let's address them.

CHAIRMAN WYNNE: Thank you Alderman Moran. I have two other members who are signed up and I'd like to move on to them. There are others who have not had an opportunity to speak. Alderman Rainey.

ALDERMAN RAINEY: Following up on a few things Alderman Moran mentioned. Years ago we did identify area of Church and Dodge and Howard Street as critical areas that needed our attention and that we would commit time and effort to. Unfortunately several years ago, an investor came along and purchased a lot of the property on Church Street around Dodge and what happened? It's all sitting vacant.

I went by yesterday afternoon. The grass behind the old grocery store at the corner of Church and Dodge has got to be at least a foot high. The place looks like the city dump. So, while we might have aspirations for Church and Dodge, obviously some of the people that have invested there aren't living up to our

aspirations. Secondly, I want to, that was just an aside really. I want to address the whole issue of home ownership. The 15 year time period. To me that is the weakest, the very weakest piece of this whole project.

The mom who moves in to this project, if it is built, let's say 2008 it'll be occupied. She's got a five year old and a six year old. Her dreams for home ownership, I don't think include living there 15 years and then after her kid has graduated from college, is 21 years old and one is 20, they're going to get to buy their house. Isn't that special? I mean the kid's 21 years old, probably got married and moved away, maybe got a nice job in California or something. That kid's not going to enjoy life in a home that he owns, absolutely not.

Anybody who lives in an apartment building, who lives there at the time the place is converted has right of first refusal. And those units are always cheaper. So if you move into a condo, if you move into an apartment building in south Evanston, the chances you're going to get a fabulous deal, when that building converts is far greater than you're being able to own a unit at Darrow Corners, believe me, that's an absolute

fact. This project is completely run and managed by its financing. Completely. I said once before, that this is the least creative financing plan that could have ever been dreamt up because it is the only way you finance low income rentals. It's the only way. So nothing special was done.

Richard told us the other night in a meeting that he worked at IDA. He knows exactly how they work there. I think, given the fact that Richard knows exactly how they work there and he has mastered this kind of financing, that he's ready to move on to something bigger and better, to another kind of financing and I think the Alderman in the Fifth Ward, is probably the best alderman that the Fifth Ward has ever had and that she can bring us a better project than this. I think this is just not the project for this corner and I'm not going to get into the community space, the parking is a disaster, but I'm not going to get into the community space because I think people know how I feel about that.

I don't believe this is the right project. I don't believe that we have to jump at the very, or that the community should jump at the very first financing

scheme that comes along to build something on that corner. I thought one of the speakers tonight brought up an excellent point that this project is going to take down two houses that are, I think they're both two flats. Just think, with a 100,000 each from home funds, those probably could be renovated, could be restored and sold to people of very modest means. That would be four units of owner occupied housing. Four units. I think that's very important.

Something else could be put on this corner. I'm not going to support this despite my overwhelming admiration for Alderman Holmes. I think, I think she can do better here. I think it was an opportunity to support a project and I probably would have seized the moment as well if I had been in her shoes. But I think the time has come, we certainly have made an issue of this corner.

I think people know about this corner, that never knew about this corner and hopefully either Housing Opportunity Development Corporation can come back with something really, really interesting and a real contribution to the community and I know Alderman Holmes would support that as well. Alderman Moran said

that if we don't build this, we're turning our backs on the community. I think if we do build it, we're sticking it to the community and therefore I'm voting against it.

CHAIRMAN WYNNE: Alderman Wollin.

ALDERMAN WOLLIN: Thank you. I'm going to try to keep this really brief, although I have made a lots of notes while I've been listening. I too am disappointed that the Sub-Committee meetings did not result in a compromise that was acceptable to everybody. But I do think, I object to the question or the statement, that neighbors in other city projects get to have a say and these neighbors didn't. Because these were five or six meetings, I went to three of them where in fact everybody did get a say and we do listen and people in my ward will be happy to tell you that even though they had serious concerns with a particular project, it was approved.

So it wasn't because it wasn't that we didn't listen and that we didn't try to make compromises that were workable. I also had a problem with the statement that families don't belong here. We're building as Alderman Moran mentioned, the Church Street Village

townhouses just a few blocks down. We expect families to live there. In fact families are the strength and the backbone of communities and so, again, I have a problem with that. I do think that some of the components, for example financing and savings for tenants so that they'll be ready for home ownership is a very positive thing. I don't think everybody is ready, not just financially, but in other respects, to own homes immediately.

I would hope that, in fact, Evanston residents who are workforce people, do get top priority in the screening and that's one of the things that I heard both at Church Street Village townhouses, I forgot what we're calling those, and in the discussion about Darrow Corners is that we will look at Evanston residents who work and live in the community and try to help them. You know, there are some programs that are there, I was very happy to see in the summary that even opponents said they would be willing to work on ground floor use, that we didn't have to decide that right tonight that we would be able to, they were willing to work towards that and I think that's a very healthy start.

You're right, this is perhaps, excuse me,

financing that is very clear about how to meet the standards to be able to use low income tax credits. But it is an opportunity on land that has not been developed, and it is an opportunity that if we don't use it, that money is going to go to another community, to probably build affordable housing. I am so concerned that we take a step forward to actually put affordable housing in place that I am willing to support this because I do think that HODC and ECDC have a record. They have worked within the community for years and years and years and they deserve to have, they've put all this paperwork together, they've hopped through all the state hoops and we all know how difficult that is, to be able to put forward a financial package that will bring six million dollars to Evanston and 27 homes to Evanston residents.

So, I'm not going to go in, we did talk about Onyx moving, I've been part of those discussions as well, so I know that that's not a, not necessarily a sky, you know, dream, that they will move out of that neighborhood. But I do think that we have to look at the realism of families having a healthy, good, strong, constructive building to live in who are working and

living in Evanston and that we can revitalize this area of Evanston.

I think we do it with the Church Street project, I mean the Church Street townhouses as well as the Darrow/Church corner project and I think it's a, that we can make some compromises here and we can come up with a final product that is going to meet the needs of many Evanston residents.

CHAIRMAN WYNNE: Thank you. Alderman Hansen.

ALDERMAN HANSEN: I'm sitting here and I'm bewildered at a statement that was made earlier by Richard about that the financing wasn't driving this project. And I know many of you have already spoken to this, but as someone that was on the Sub-Committee I see, I saw three major issues that the neighbors put forth which was the ownership versus rental, the parking, the ground floor usage. And when you talk about ownership versus rental and we talked about what if we could do, you know, a mixed use, you know, condominiums and rentals. Why, it couldn't be done, because of the financing.

What about the parking and there was a suggestion about, well, underground parking. Which I

will say I said from the get go, I was not in favor of because of the cost to underground parking that I would not put that hardship on HODC in trying to come up with an affordable housing project. But when the question was put forth, which was an idea that was put forth at the Sub-Committee level, the answer was, the money, the cost and the financing. There was another suggesting in regards to the parking of, well, what if you created less units, then you wouldn't need as much parking.

Well, I saw that there was, at the last Sub-Committee meeting which I was unable to attend, that well if we do less units, then some of the rents would have to be increased to cover that cost gap which would get out of the range of that target for this financing. Ground floor usage, what about commercial space? And the answer still remains the same. No, because of the financing. So I think, it just, I don't think the statement can be made that financing is not driving this project because I think it is. Three major things and to get my support, I was hoping that one concession could be made. Just one.

In terms of the ownership versus rental, there was, and Richard laid it out for us, the half time

maintenance worker, a management aide on-site, a second property manager. Realizing that the maintenance worker and the property manager would also be of use for HODC for their other properties. The HODC has said that this is something new for them in terms of this financing and this rent-to-own. And I think with so much of a question out there as to how this is actually going to play out in the next 15 years, it deserves more attention than, okay, we'll have somebody there, but they're going to be with our other properties and helping us manage our other properties and overseeing our other properties.

One of the first things we talked about was a tenant association which I was encouraged about. Because I thought this might address that ownership idea and Alderman Tisdahl, I think almost every meeting when this was brought up said, well, it has to be a tenant association with some authority. And she constantly said that but that wasn't how this, or isn't how this tenant association was going to work. They were going to be this ad-hoc committee and they'd get to, you know, almost like a classroom model, they'd get to sit there and talk about what we could do as an association, but

they wouldn't have any authority.

The ultimate authority would lie with HODC and I think that is not putting a lot of faith of these people who are supposed to own in 15 years. The parking, yes, city staff came up with, well, if we allow parking on both sides of Darrow, or allowed parking on this side we can come up with so many spaces. Which is great. However, my concern was, why is the city bearing the burden of coming up for the shortfall of parking for this project. This is not going to be, this is the first project right there. It's not going to be the only one. What happens when this revitalization of commercial and business occurs but we've already given away all the parking to this affordable housing project.

Where are these people going to go? Where are these people who are going to come shop at Church and Dodge, where are they going to park? And in terms of the ground floor usage, a suggestion was made before we even went to Sub-Committee level and I believe it was made by Alderman Wollin and I apologize if this is a wrong reference to you Alderman Wollin, but something about, and I don't remember the terminology, but a scheduler as to the use of the community room, like who

is going to oversee that, who is going to know who is having use of that community room, which residents, what's occurring there?

And that question or that idea still has yet to be answered because we talked about the library but towards the end of our time as a Sub-Committee we were unable to really say that that's what would happen there. So it was back to square one and I don't see where that was addressed. That if we still use this as a community space, who is going to oversee it and who's going to say what's occurring and if those things are in fact occurring. If one thing would have been given I would have been able to give my support to this but it didn't happen.

And there are options, but I don't think the options were explored because of the financing. There are examples that HODC gave to the Sub-Committee members in regards to what Chicago has done, or what Highland Park has done to assist in creating affordable housing so there are options. There are other ways of financing and they haven't been explored and I know that Richard and HODC can come up with those options and work with the city of Evanston to create affordable housing at

this location. But I think the model that we're sitting at before us, leaves too many what if's and there aren't any guarantees as to how this is going to play out and how it will be in 15 years.

The one thing I said was when we were at our last P&D meeting when we talked about Darrow Corners and came to our Sub-Committee group was that I didn't hear and I didn't see any type of compromise between the neighbors and between the Developer and all the projects that I've seen come through P&D in the last year, we've had that. We've had some type of compromise. It's not perfect, but there's some type of significant compromise on some of the major points or one of major points that the neighbors that are going to be directly affected, that the developer has come up with and this project doesn't even address one of their three major concerns. Just one.

And I think that just because it's, this project says it's affordable housing, I think that we shouldn't automatically say it's affordable housing, let's just do it. Or that I should look the other way in the process that we've seemed to follow in this last year and just say, let's just do it. I wish I could. I

wish I could support Alderman Holmes and say, let's just do it. But I think I'd be doing a disservice to myself and a disservice to the community if we didn't explore our other options.

CHAIRMAN WYNNE: Thank you, at this point I have Alderman Holmes and Alderman Jean-Baptiste next, but I do want to throw in my comments. I haven't had an opportunity to speak on this. I too am troubled by this project. As someone who worked the first four years that I was on the Council, with a neighborhood planning group, I know how hard it is to participate in that, how hard it, how difficult it is to get community members to come, how, the clashes that you experience and how productive that process can be.

Your community was the community that was studied after the Chicago Avenue plan was completed and I know how difficult that process was. I was at the Plan Commission a number of times when that report was being worked on. I don't want to, part of the ways that we get people to invest and believe in our community and our ordinances is because we follow them and we honor the processes that we create. Nothing could, I think, more discourage people in my ward, if, after four years

of hours and hours of working, if we completely ignore it, the Chicago Avenue plan.

One of the critical things that the Berchal Krause consultant's report indicated to us last week, that we all praised, was that planning, planning, planning. You develop neighborhood plans, you connect them to each other, you create an entire zoning ordinance that makes sense to everybody, it fits together like a jigsaw puzzle and then you follow it. To me, we're trying to plunk in a very inflexible plan, project, into the middle of a planning process that's, that took four years to take place and I'm not willing to throw out the process. I think the process was working here and I don't believe this project adheres enough to the neighborhood plan for me to support it.

I think as others have said, the model is too inflexible. And that's fundamentally what's went on here is instead of coming in with something that could be altered or modified or discussing it with the community beforehand, it was presented and it was unchangeable because of the financing. And I agree with Alderman Hansen. It's all about the financing here. I also agree with Alderman Bernstein that the home

ownership issue is, it sounds too fragile and too remote. 15 years is a long period of time, it's a hope and it's not a strong enough hope for me to support this.

We have to be able to do better than this and I think Richard Koenig has clearly got a terrific mind for financing these projects, but I think this isn't the right one for this site. This is the beginning of doing something at this site and too much of it is inappropriate to the neighborhood plan, to the neighborhood wishes and doesn't really achieve the goals that we're all hoping for and there isn't a one of us up here who doesn't completely support affordable housing but I don't think that we have to take projects that we are so troubled by. There has to be other ways to do this.

So, for all of the reasons that have been stated by those who are in opposition, I can't support the project either and I would like to support something, but I think this one presents too remote a possibility and too many problems that we can already foresee and there are going to be some unintended consequences that we don't even see tonight. So, I'm

going to put my Chairman's hat back on again. The Mayor is waving to me and we have a lot of folks waiting outside. The preservation awards are coming up.

I have two Aldermen signed up to speak. I, we need to decide what we're doing with this project at this point, whether we're going to continue for another five or ten minutes. What's the wish of the community? Why don't we take the last two. Alderman Jean-Baptiste, if you could be your eloquent brief self so that we give Alderman Holmes an opportunity to speak as well.

ALDERMAN JEAN-BAPTISTE: Well, I'm going to be as brief as I can be.

CHAIRMAN WYNNE: Okay.

ALDERMAN JEAN-BAPTISTE: This is about poor people. It has nothing to do with plan. This is about poor people. I've lived in New York, some years back and there was a case that went through the Appellate Court and the issue was that poor people constitute an environmental hazard. This is what this is about people, so don't fool yourself with the notion of plan.

Plans are guidelines and when you hide behind the plans then you raise it as a dogma to support a

particular perspective and the perspective that is being supported here is that poor people constitute an environmental hazard in this particular neighborhood. What plan, what are we talking about? We support revitalization, we all support affordable housing. Public benefits? There's not enough public benefits here, it's too remote. When have you guys done anything for Church and Dodge? And that area? Nothing has been done.

People come back to the city of Evanston and they see downtown and they're amazed. They see a lot of other neighborhoods and they're amazed. And they look at Church and Dodge and they shake their heads. It is the same old business. Planning, planning, it's not about worship of plans, it's about pro-activity, taking advantage of the opportunities, and couple them with your planning to make things happen. The city of Evanston doesn't have money to go and develop that lot. We don't.

We take advantage of the opportunities that have presented themselves, that present themselves to us. It's not about if Richard Koening and HODC had jumped through only one hoop then we would have awarded

him with our support. It has nothing to do with anything like that. Okay? Because we did talk about parking, it's not a disaster, there's 32 additional spaces identified, a year ago we gave some money, okay? To one of the main opponents of this project, because we believed in what he was trying to do and he increased the number of space available. We invested the money. Okay? He has commercial space he added to the neighborhood. So what? How did it benefit the immediate neighborhood? It didn't do a thing for any of the residents there.

The local resident business people could not even afford to go in there. So people, let's stop hiding behind the notion of plan, behind the notion of, we didn't jump through enough hoops, we compromised. In that committee, we engaged in the discussion of on-site management. The reason why it became so important is because this was poor people who were going to be in there and so we wanted to make sure that we managed them properly. And we talked about all kinds of measures to manage the situation. Community rooms sitting empty, we don't know what's going to go in there. What? Is this going to be an open space? No. We talk about training

of tenants, we talk about all kinds of training, job training, we talked about all kinds of activities going in that community room.

So that's another excuse. And the notion, you know, some of us have set in inclusionary housing project meetings for years and then suddenly public benefit is too remote when we talk about affordable housing, rental housing. Some of us talk about that our families, what families are going to be benefitting from that because they'd be gone. You know the trend is that most families, the children stay home for the most part. I mean I have two locally. One is going on 30, the other one is going on 24. I mean they're still hovering around home. Okay? So, and look, 15 years people is not an eternity. Ownership is not sacrosanct. Okay?

Near the lake you have a bunch of buildings there, walk ups, where there's not adequate parking around, some of them are turning condo and all kinds of stuff, people have survived. We can't even, we couldn't find that many units, that many parking spaces for people living on that side of town. Luckily we've been able to do so on this side of town. So, you know, I really think that behind our civility is really the

betrayal of one of the objectives and the principles that we say we stand for.

We say we stand for affordable housing. We ain't passing no ordinance that supports that. You know, we inch our way towards that. 27 units in that building. Does that mean everybody who's coming in there will be a criminal? I don't think so. Commercial space? We've got vacancies on Church and Dodge, we're not filling them. So I think that, you know, the fight for the TIF was a fight and you guys remember that. It was a fight, it was a political struggle to try to open up some direction and some possibilities and some opportunities. But when it came to a concrete project that a community group, ECDC fought for and who are the ECDC people?

At some point, Alderman Holmes was involved in it, at some point I was involved in it at some point Chief Logan is involved. Dino Robinson, various other people. Who have always opened up the process to those who are now opposed. Now I respect the opponents. I mean I appreciate Carlis' statement and I think it was heartfelt, it raised a lot of good issues. But at the same time people, the process of moving forward is not

about all or nothing. It is about compromise, it is about working through our issues, it is about ultimately, the principle.

Affordable housing, providing for those who have less resources in the community so that they could have a place to live. So I am totally surprised that the majority of Aldermen on the Council, at this point in time, behind all kinds of notions, have concluded that we can't afford this. I heard that a respectable person in the community say, we're creating, don't be coming in there creating a ghetto. You know. Look, this is about poor people. If it was a rich, $1500 a month, $2000 a month rental property going on there, we'd be the first to support it. I'm totally disappointed myself. Thank you.

ALDERMAN HOLMES: I'm really lost for words, so I'm just going to say that Alderman Jean-Baptiste did over what he said in terms of the disappointment, I respect and appreciate, I guess Alderman Bernstein, Alderman Rainey and Alderman Hansen by saying they wish they could support me. This project has never been about me. This project is about the people that I represent. And including the opponents and we went

through a long drawn out process, so I know that we represent the community, I know that this project is good for the community. Yes.

Is it perfect? No, it's not perfect. But it is a beginning and it could do a lot to begin to revitalize that area. We will continue to work with the opponents as well as those folk who are in support of whatever it is that's going to happen in the Church/Dodge area. But I hate that we pass this opportunity of being able to bring six million dollars into the city of Evanston for affordable housing and that we would miss an opportunity like that.

So I, on Friday, I believe one of the opponents asked, well what do you think about the Council? Where do you think they are? And I said at that time, I would never dream to speak for, nor had I made a call, nor will I ever make a call to ask anyone where there, how they're going to vote. Because if you're like me, you'll vote your conscience and you'll vote where you stand. But I would hate to think that once again the squeaky wheel gets the oil.

CHAIRMAN WYNNE: Thank you. I don't have any other names at this point, I think it's time for us to

have a motion. No Madam Mayor, I believe we can move to act on this. Yes. Alderman Rainey?

ALDERMAN RAINEY: Yes. I move to, god, I hate to do it this way. I move to accept the Plan Commission's recommendation that this planned unit development be denied.

ALDERMAN BERNSTEIN: Second.

CHAIRMAN WYNNE: All those in favor of the motion please indicate by saying aye.

ALDERMAN RAINEY: Aye.

ALDERMAN HANSEN: Aye.

ALDERMAN TISDAHL: Aye.

ALDERMAN BERNSTEIN: Aye.

CHAIRMAN WYNNE: All those opposed, please say. I think we're going to need a role call. Alderman Holmes?

ALDERMAN HOLMES: No.

CHAIRMAN WYNNE: Alderman Moran?

ALDERMAN MORAN: No.

CHAIRMAN WYNNE: Alderman Tisdahl?

ALDERMAN TISDAHL: Aye.

CHAIRMAN WYNNE: Alderman Rainey?

ALDERMAN RAINEY: Aye.

CHAIRMAN WYNNE: Alderman Hansen?

ALDERMAN HANSEN: Aye.

CHAIRMAN WYNNE: Alderman Wollin?

ALDERMAN WOLLIN: No.

CHAIRMAN WYNNE: Alderman Jean-Baptiste?

ALDERMAN JEAN-BAPTISTE: No.

CHAIRMAN WYNNE: Alderman Bernstein?

ALDERMAN BERNSTEIN: Aye.

CHAIRMAN WYNNE: The Chair votes aye. The motion passes 5 to 4. The recommendation of the Plan Commission to deny the application has passed. We are adjourned.

(Whereupon, the hearing in the above-titled cause was concluded at 8:50 p.m.)

Habitat for Humanity®



How does homeownership contribute to wealth building?

Low-income households and households of color have limited access to home-ownership because of barriers such as limited supply of affordable housing, restricted access to credit, and systemic inequities. For those low-income households and households of color, homeownership can be a catalyst to wealth building. Home equity accounts for over half their net wealth, but these gains from homeownership vary by income, gender and race/ethnicity.

This evidence brief:

- Summarizes research on the key factors to wealth building through homeownership for low-income households, households headed by single women, and Black and Hispanic/Latinx households.
- Shares how Habitat for Humanity contributes to these factors to encourage wealth building.

EVIDENCE BRIEF

Financial benefits of homeownership for low-income households

Overall, homeownership promotes wealth building by acting as a forced savings mechanism and through home value appreciation. Homeowners make monthly payments that increase their equity in their homes by paying down the principal balance of their mortgage. Home value appreciation also helps homeowners build wealth by enabling them to realize greater proceeds if they sell the home or borrow against the additional equity. In addition, owning a home promotes intergenerational homeownership and wealth building. Children of homeowners transition to homeownership earlier — lengthening the period over which they can accumulate wealth — and have homeownership rates 25 percentage points higher than the rate of children of renters.[1,2]

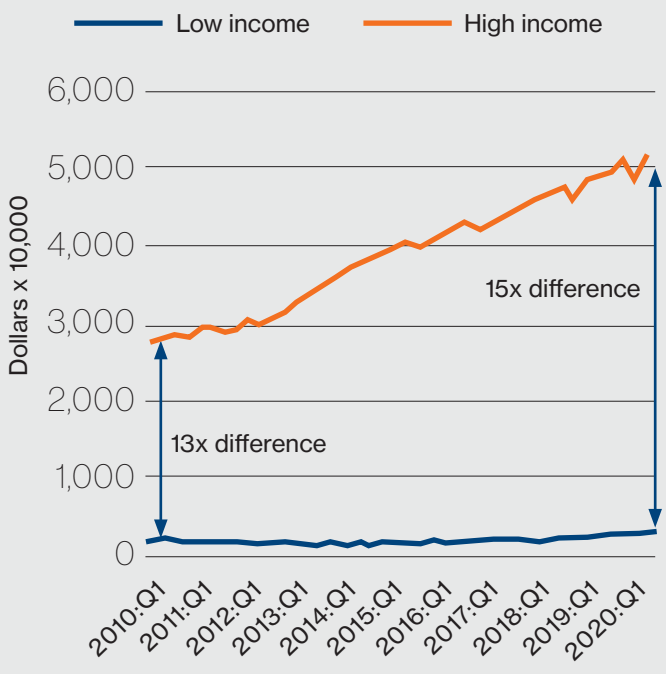
For every dollar in net wealth accumulated by a high-income household, a low-income household amasses 7 cents. This wealth gap has significantly widened over the past decade (Figure 1).[3] Homeownership is a substantial contributor to the wealth of low-income households, since they hold the majority of their wealth in their homes. But do low-income households achieve greater financial returns through homeownership than through renting? Low-income homeowners with sustained ownership and affordable loans have higher wealth accumulation — both housing and non-housing wealth — than comparable renters.[4] Furthermore, low-income homeowners earned higher financial returns than high-income homeowners when the annual costs and benefits of homeownership, which include imputed rents (the rental value that the homeowner would get from renting their home at the market rate), are estimated.[5] The ratio of imputed rents to home values declines with income level and drives this result. The rate of return, however, hinges on the value of imputed rent and the homeowners' ability to build home equity.

Key factors to build home equity

Providing affordable financing and refinancing loans at lower interest rates help low-income households to build equity in their homes.

- Low interest rates reduce the cost of financing and enable homebuyers to contribute more of their monthly mortgage payments to principal — and equity-building — than to interest payments.
- Increasing the initial mortgage interest rate by 1 percentage point increases the probability of exiting homeownership by 16%.[6]
- Low-income households are more vulnerable to predatory lending that lowers home equity through fees, poor underwriting and high penalties. Interest rates for subprime loans can be more than 4 percentage points higher than traditional loans.[7]
- Low-income households are less likely to refinance their existing mortgage to take advantage of lower interest rates. Failing to refinance reduced their aggregate wealth by $22 billion.[8]

FIGURE 1: DISTRIBUTION OF HOUSEHOLD WEALTH FOR LOW- AND HIGH-INCOME HOUSEHOLDS



Sustaining homeownership allows homebuyers to recoup the transaction costs associated with the purchase of a home and to weather home value fluctuations.

- Transaction costs to buy and sell a home can average 8% to 10% of the value of a home.[9] Homeowners can offset the transaction costs by remaining in their homes long enough for home values to appreciate to cover those costs.
- Living in the home for a longer duration also allows homeowners to weather short-term fluctuations in home values and realize positive financial returns.[10]
- Low-income households tend to pay a higher share of their monthly income for housing than do higher-income households, and they have less savings to cushion unexpected financial events such as a job loss or health bills. For low-income homeowners, a loss in income increases the probability that they will transition to renting by 74%.[11] Within five years of buying their first home, over half of low-income homeowners return to renting, compared with 25%-30% of high-income buyers.[6,12]

Appreciating home values increases the equity in the home, especially at the time of resale, but the rate of appreciation depends on the timing and location of the home purchase.

- There is mixed evidence regarding whether lower-priced homes, the type of homes typically purchased by low-income homebuyers, have lower rates of appreciation than higher-priced homes. The level of appreciation depends on the specific period and market.[9]
- Low-income households that purchase during periods of high home appreciation are more likely to realize wealth accumulation than renters, but the reverse holds true during periods of lower appreciation.[13]



How Habitat contributes

- Habitat affiliates help homeowners build equity by keeping the cost of homeownership affordable for low-income families so that homeowners can begin to accrue equity immediately. Habitat is committed to ensuring mortgage payments consume no more than 30% of a homeowner's income and meets this goal by offering financial packages composed of low- or zero-interest loans and forgivable loans. These creative financing packages also help sustain homeownership by providing flexible mortgage restructuring options and other financial support to homeowners when they lose income.
- Habitat also offers down payment assistance that helps people access homeownership earlier and begin accruing equity sooner, granting them more financial resilience and the ability to focus on other financial goals.
- Habitat builds modest homes and manages the cost of land acquisition, development and construction to keep the overall cost of homes low. Moreover, Habitat lowers transaction costs by eliminating the need for real estate agent and other transaction fees.
- Many Habitat affiliates are leading the way on permanent affordability, using land trust programs and shared-equity models to help growing numbers of families build equity through their homes while ensuring that future homeowners will have the same access to affordable homeownership. These tools help manage expensive land costs and rising home prices to retain affordability while still enabling families to build equity through their homes.
- Habitat affiliates also provide financial education classes and pre- and post-purchase counseling that provide tools and strategies to manage household finances, which can render homeowners better able to continue to meet their mortgage payments and sustain homeownership.
- Habitat's repair programs offer homeowners the opportunity to affordably address acute housing problems and improve the quality of their homes. This allows homeowners to maintain their homes at an affordable cost and continue to build equity through homeownership.
- In addition to the direct services that keep homeownership affordable, Habitat advocates at all levels of government for policies and programs that make affordable homeownership more broadly available and support homeowners in building equity through their homes. Our advocacy work focuses on expanding access to safe, low-interest mortgages; tax credits and saving incentive programs to help low-income families build financial reserves; resources such as housing counseling and short-term mortgage assistance to prevent foreclosure; and policies aimed at reducing regulatory barriers to building affordable homes in appreciating markets.





Financial benefits of homeownership for women

In the past decades, homeownership by single women – regardless of race and ethnicity – has outpaced that of single men. In 2020, single women accounted for 19% of first-time homebuyers, compared with 11% of single men.[14] Single men annually earn returns on their housing investment that are 7.9 percentage points higher – after accounting for financing costs – than the returns earned by single women. This is mostly due to market timing and negotiating ability; single women pay approximately 1%-2% more for comparable properties than single men, and then sell these homes for 2%-3% less. For an average home worth $200,000 held for five years, a 2% difference in purchase and sale price translates to single women losing approximately $1,600 per year relative to single men.[15]

How Habitat contributes

- Habitat homes are priced at fair market value, which is the price of the home if it were sold under prevailing market conditions, and are not subject to the negotiating ability of the homebuyer or any implicit bias or prejudice on the part of their real estate agent.
- Mortgage payments for Habitat homes are kept at 30% of the homeowner's monthly income, independent of home value or financing terms. This model ensures that Habitat homes are affordable regardless of gender and protects women from paying higher costs for their homes.
- Consequently, Habitat homeowners, most of whom are female, do not start their homeownership journey at a deficit and instead are able to begin accruing equity immediately upon purchasing their home.

Financial benefits of homeownership for Black and Hispanic/Latinx households

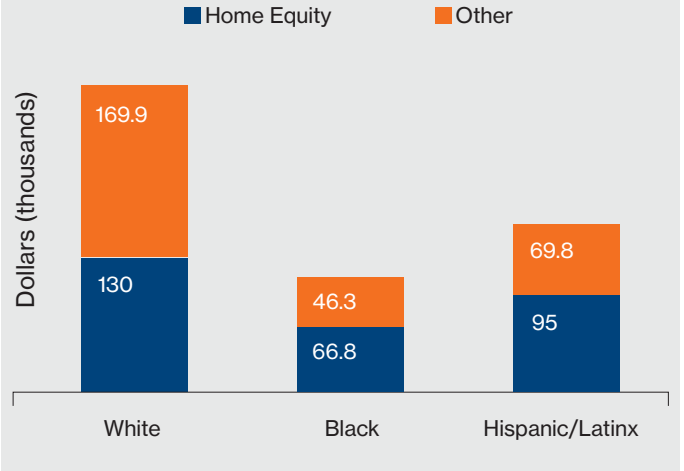
The homeownership rate of white households continues to exceed those of Black and Hispanic/Latinx households, and for Black households, this gap has widened. Black and Hispanic/Latinx households trail white households' overall accumulated wealth and amount of equity amassed in their homes, which is the primary contributor to their net wealth (Figure 2).[16,17] But how do the financial returns of Black and Hispanic/Latinx homebuyers compare with that of white homebuyers? After accounting for the annual costs and benefits of homeownership, Black and Hispanic/Latinx homebuyers – regardless of income level – achieved returns that outpace that of white homebuyers.[5] This result centers on Black and Hispanic/Latinx homebuyers having higher ratios of imputed rent (the rental value that homeowners would get from renting their home at market rates) to home values. However, in addition to the factors discussed earlier, Black and Hispanic/Latinx homebuyers face key barriers that may impact their ability to build equity.

Key barriers to build home equity for Black and Hispanic/Latinx homebuyers

Black and Hispanic/Latinx homebuyers tend to use debt to finance homeownership and face more expensive mortgage financing, paying higher mortgage rates.

- Black and Hispanic/Latinx homeowners are more likely to finance homeownership through debt. The median loan-to-value ratios were 66%, 61% and 56% for Black, Hispanic/Latinx and white homeowners with a mortgage, respectively.[18]
- On average, Black homebuyers pay 29 basis points more than comparable white homebuyers.[19] Financial technology lenders reduce this disparity somewhat, but borrowers of color are still charged interest rates that are typically eight basis points higher than they charge white borrowers with similar financial characteristics.[20]
- During the housing boom of the 2000s, subprime loans were disproportionately concentrated in communities of color, and Black and Hispanic/Latinx borrowers were more likely to receive subprime loans and adverse pricing.[21,22] Subprime lending strips equity, with the excessive fees paid to lenders, contributing to an excessive rate of foreclosures. One in 5 subprime loans end in foreclosure.[23]
- Black homeowners are 16.5% less likely to refinance than white homeowners, and when they do refinance, Black homeowners pay interest rates that are about 1 percentage point higher. This translates to over $22 billion in lost equity to Black homeowners.[7,8]

FIGURE 2: MEDIAN NET WORTH

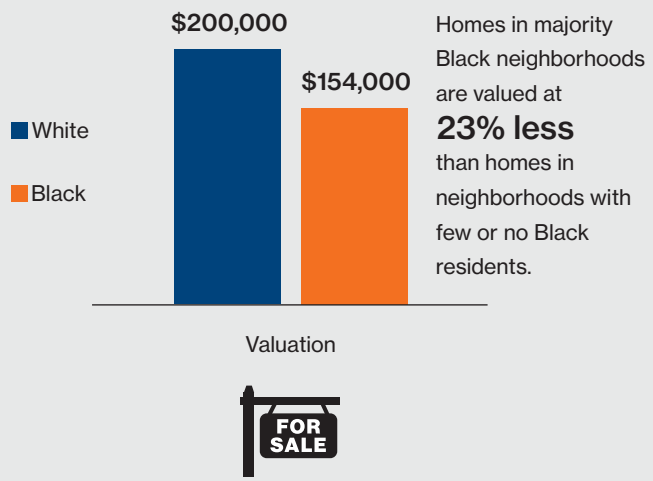


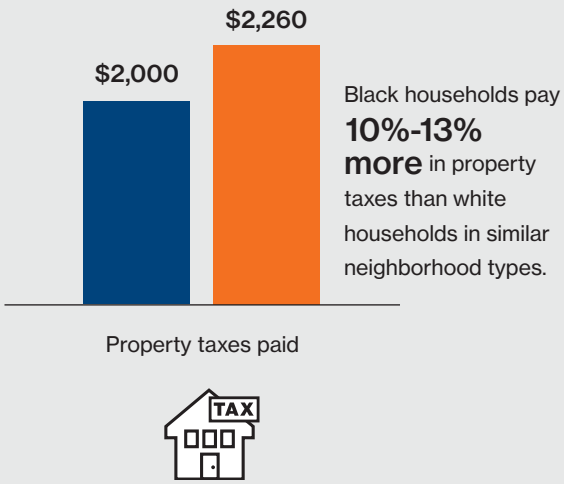
Homes purchased by Black homebuyers tend to be lower-valued, appreciate more slowly, and have higher property taxes.

- Even after conveying their preferences, homebuyers of color, especially Black homebuyers, are more likely to be steered to disadvantaged neighborhoods by their real estate agents despite having characteristics similar to white buyers.[24] This contributes to households of color tending to purchase homes in residentially segregated neighborhoods that are likely to experience limited or even negative home appreciation.[5]
- In neighborhoods where Black households represent the majority of the population, homes are valued at about half the price of homes in neighborhoods where there are no Black households. Furthermore, similar quality homes located in neighborhoods with similar amenities are worth 23% less in majority Black neighborhoods, compared with those with very few or no Black residents.[25]
- Black and Hispanic/Latinx homeowners also pay higher property taxes than do white homeowners. For every $1 of property taxes paid by white homeowners, Black and Hispanic/Latinx homeowners pay an additional 10 to 13 cents. This is due to the higher tax-assessed values of their homes within similar neighborhood types and the lower likelihood that they will appeal assessments and receive reductions in assessments. This disparity in assessment amounts to an extra $300-$390 annually for the median Black and Hispanic/Latinx homeowner.[26]

During the housing boom of the 2000s, subprime loans were disproportionately concentrated in communities of color, and Black and Hispanic/Latinx borrowers were more likely to receive subprime loans and adverse pricing. Subprime lending strips equity with the excessive fees paid to lenders, contributing to an excessive rate of foreclosures. One in 5 subprime loans end in foreclosure.

FIGURE 3: BLACK-WHITE GAP IN HOME VALUATION AND PROPERTY TAXES PAID







Black and Hispanic/Latinx households are less likely to sustain homeownership.

- Low-income households of color are slower to transition to ownership, more likely to return to renting, and less likely to return to homeownership if they have transitioned to renting than white households at similar income levels.[12,27] Less than half of low-income homeowners of color remained homeowners within four years of becoming a homeowner, compared with 60% of low-income white homeowners.[12]
- For those able to sustain homeownership through economic decline, Black and Hispanic/Latinx households are more likely to end up with negative equity than comparable white homeowners. For Black households, this is largely driven by the housing market in which they purchased their homes.[28]

How Habitat responds

- Habitat serves a diverse range of homeowners, providing more equitable access to low-cost financing that can help support building home equity. Mortgages for all Habitat homeowners, regardless of race, are priced to be affordable, with monthly payments kept at 30% or less of income, and Habitat affiliates can create unique financing options that meet the needs of all of their homebuyers.
- The counseling and classes offered by Habitat affiliates can help ease the transition to homeownership for low-income households of color and better position them to sustain homeownership.
- Habitat advocates for policies that increase and broaden access to safe and sound credit for underserved populations and help close the homeownership gap for Black households and other communities of color.
- Habitat also advocates for anti-racist housing, lending and land-use policies at the local, state and federal levels that seek to increase racial equity in homeownership.

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everyone

needs a place to call home

A Habitat for Humanity U.S. Research and Measurement Team evidence brief

Habitat for Humanity®

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20-78904/PDF/US/12-2020

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
BRUCE RAUNER, GOVERNOR ALEC MESSINA, DIRECTOR

217/524-3300

November 6, 2017

CERTIFIED MAIL
7014 2120 0002 3285 4791

E-Town Community Ventures, LLC
Attn: Daniel Chefetz
1338 Warrington Drive
Deerfield, Illinois 60015

Re: 0310815369/Cook County
Evanston/E-Town Community Ventures LLC
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. Chefetz:

The *Remedial Action Completion Report* (received August 3, 2017/Log No. 17-65218), as prepared by Environmental Consulting Group (ECS), Inc. for the above referenced Remediation Site, has been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). This Report demonstrates the remediation objectives approved for the site, in accordance with 35 Illinois Administrative Code Part 742 including the indoor inhalation pathway, are above the existing concentrations of regulated substances and the remedial action was completed in accordance with the *Remedial Action Plan* (received March 9, 2016/Log No. 16-61659) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 0.26 acres, is located at 1801-1805 Church Street, Evanston, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (received November 10, 2015/Log No. 15-60815), is E-Town Community Ventures, LLC.

This focused No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment for the specified recognized environmental conditions so long as the Site is utilized in accordance with the terms of this Letter.

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

1) The recognized environmental conditions characterized by the focused site investigation and successfully addressed, consist of the contaminants of concern identified in the attached Table A.

2) The Remediation Site is restricted to industrial/commercial land use.

3) The land use specified in this Letter may be revised if:

   a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and

   b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

4) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated below asphalt pavement must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

5) The asphalt barrier, as shown on the attached Site Base Map, must remain over the contaminated soils. This asphalt barrier must be properly maintained as an engineered barrier to inhibit inhalation of the contaminated media.

Institutional Controls

6) Any future buildings constructed on the site must contain a full concrete slab-on-grade floor or full concrete basement floor and walls with no sump(s) other than in the area described in paragraph 7.

7) No building shall be occupied within the area depicted on the attached Site Base Map unless a Building Control Technology ("BCT") meeting the requirements of 35 Illinois Administrative Code Part 742 Subpart L is operational prior to human occupancy. This BCT must be properly maintained to address the indoor inhalation pathway. If the BCT becomes inoperable, the site owner/operator shall notify building occupants and workers to implement protective measures. In addition, any sump located within the building with the BCT shall be sealed with an approved cap and vent system. A caution label must be affixed to the vent pipe indicating that the system cannot be dismantled without proper consultation. A vacuum pressure gauge must be installed on the system to provide a clear indication of when the system is operating properly and when maintenance is required. The sump cover must be resealed if it is ever removed for sump pump inspection, replacement, maintenance or for any other reason. The vent system must also be correctly maintained under such circumstances. Failure to maintain the BCT or the sealed sump shall be grounds for voidance of this No Further Remediation letter.

8) No person shall construct, install, maintain, or operate a well at the Remediation Site. All water supplies and water services for the Remediation Site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage (e.g., domestic, industrial/commercial uses and outdoor watering).

Other Terms

9) Pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), all statutory and regulatory corrective action requirements applicable to the occurrence involving Leaking UST Incident Number 20150678 have been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.

10) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.

11) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Division of Records Management #16
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

12) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:

a) Any violation of institutional controls or the designated land use restrictions;

b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;

c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;

d) The failure to comply with the recording requirements for this Letter;

e) Obtaining the Letter by fraud or misrepresentation;

f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;

g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;

h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.

13) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:

a) E-Town Community Ventures, LLC;

b) The owner and operator of the Remediation Site;

c) Any parent corporation or subsidiary of the owner of the Remediation Site;

d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;

e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;

f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;

g) Any successor-in-interest of the owner of the Remediation Site;

h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;

i) Any heir or devisee of the owner of the Remediation Site;

j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or

k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.

14) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the E-Town Community Ventures, LLC property.

15) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Mr. Jim Scott
Illinois Environmental Protection Agency
Bureau of Land/RPMS #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

16) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding the E-Town Community Ventures, LLC property, you may contact the Illinois EPA project manager, Tammy Smith at 217-525-7207.

Sincerely,

Gregory W. Dunn, Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Table A: Regulated Substances of Concern
Property Owner Certification of No Further Remediation Letter under the Site Remediation Program Form
Instructions for Filing the NFR Letter

cc: Robert Johnson
Environmental Consulting Group
rjohnson@envcg.com

Bureau of Land File

Mr. Jim Scott

Mr. Dennis Marino
Assistant Director of Planning
2100 Ridge Avenue
Evanston, Illinois 60201

PREPARED BY:

Name: Daniel Chefetz
E-Town Community Ventures, LLC

Address: 1338 Warrington Drive
Deerfield, IL 60015

RETURN TO:

Name: Daniel Chefetz
E-Town Community Ventures, LLC

Address: 1338 Warrington Drive
Deerfield, IL 60015

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0310815369

E-Town Community Ventures, LLC., the Remediation Applicant, whose address is 1338 Warrington Drive, Deerfield, Illinois, 60015 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries:

   The South 160.00 feet of Lots 9 and 10 in Block 3 in Merrill Ladd's Second Addition to Evanston, said addition being a subdivision of the West ½ of the Southwest ¼ of the Northeast ¼ of Section 13, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

2. Common Address: 1801-1805 Church Street, Evanston, Illinois 60201

3. Real Estate Tax Index/Parcel Index Number: 10-13-220-035-0000

4. Remediation Site Owner: E-Town Community Ventures, LLC

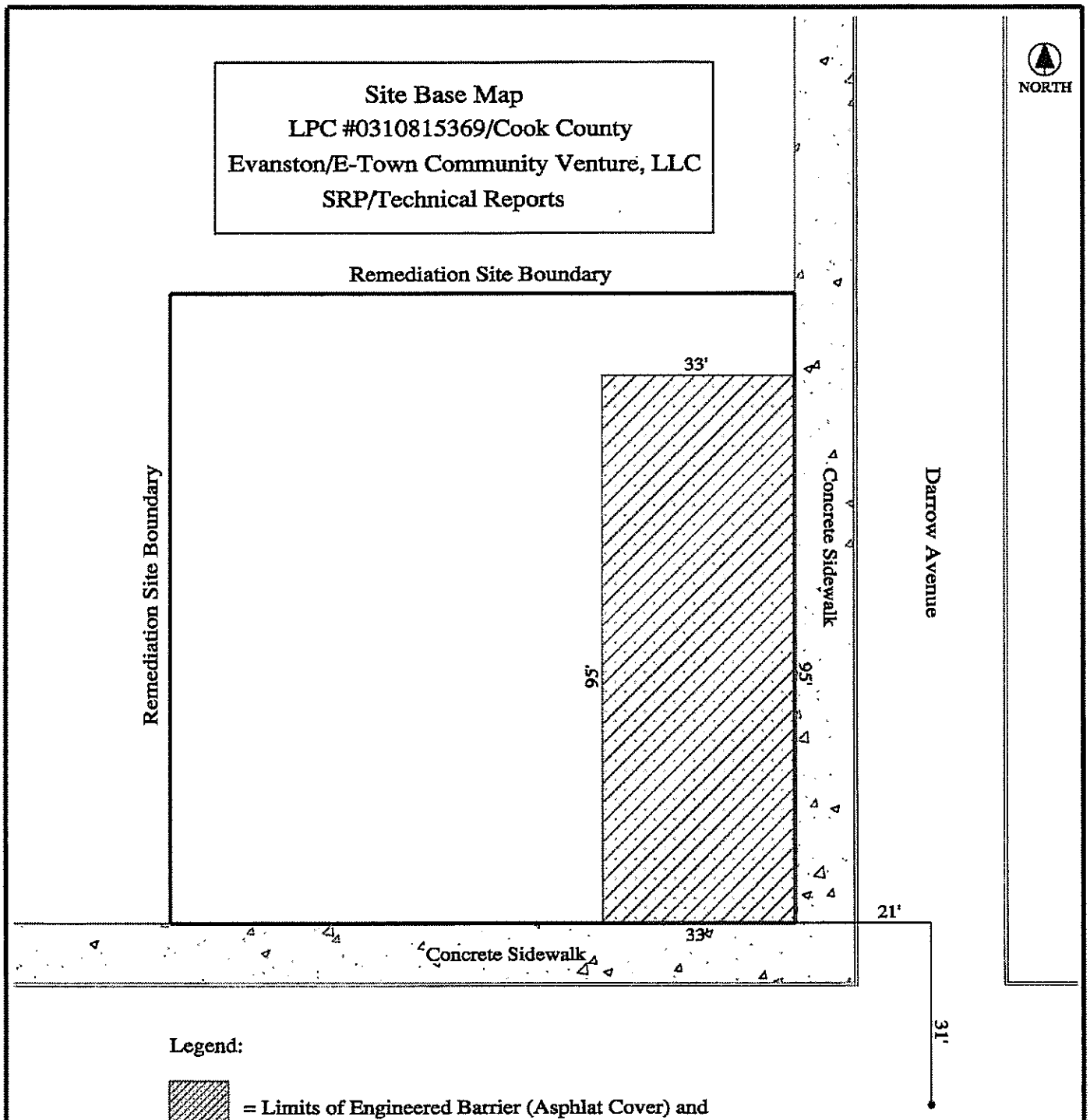
5. Land Use: Industrial/Commercial

6. Site Investigation: Focused

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

Site Base Map
LPC #0310815369/Cook County
Evanston/E-Town Community Venture, LLC
SRP/Technical Reports



Environmental Consulting Group, Inc. 105 S. York Road, Suite 250 Elmhurst, Illinois 60126 www.ecgmidwest.com	**Site Base Map** Project Location: 1801-1805 Church Street, Evanston Project Number: E171696-698	Completed on 9/19/17 Drawn by RAJ

TABLE A: Regulated Substances of Concern

0310815369--Cook County
Evanston/E-Town Community Ventures, LLC
Site Remediation Program

Volatile Organic Compounds (VOCs)	
CAS No.	**Compound Name**
67-64-1	Acetone
71-43-2	Benzene
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
78-93-3	2-Butanone
75-15-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
124-48-1	Dibromochloromethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
540-59-0	1,2-Dichloroethene (total)
156-59-2	cis-1,2-Dichloroethene
156-60-5	trans-1,2-Dichloroethene
78-87-5	1,2-Dichloropropane
10061-02-6	trans-1,3-Dichloropropene
10061-01-5	cis-1,3-Dichloropropene
100-41-4	Ethylbenzene
591-78-6	2-Hexanone
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone
1634-04-4	Methyl tert-butyl ether
100-42-5	Styrene
79-34-5	1,1,2,2-Tetrachloroethane
127-18-4	Tetrachloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
79-01-6	Trichloroethene
108-88-3	Toluene
108-05-4	Vinyl Acetate
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

Semivolatile Organic Compounds (SVOCs)	
CAS No.	**Compound Name**
208-96-8	Acenaphthalene
83-32-9	Acenaphthene
120-12-7	Anthracene
92-87-5	Benzidine
56-55-3	Benzo(a)anthracene
205-99-2	Benzo(b)fluoranthene
207-08-9	Benzo(k)fluoranthene
191-24-2	Benzo(g,h,i)perylene
50-32-8	Benzo(a)pyrene
65-85-0	Benzoic acid
100-51-6	Benzyl alcohol
111-91-1	bis(2-Chloroethoxy)methane
111-44-4	bis(2-Chloroethyl)ether
108-60-1	bis(2-Chloroisopropyl)ether
117-81-7	bis(2-Ethylhexyl)phthalate
101-55-3	4-Bromophenyl-phenyl ether
85-68-7	Butylbenzylphthalate
86-74-8	Carbazole
106-47-8	4-Chloroaniline
59-50-7	4-Chloro-3-methlyphenol
91-58-7	2-Chloronaphthalene
95-57-8	2-Chlorophenol
7005-72-3	4-Chlorophenyl-phenyl ether
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
132-64-9	Dibenzofuran
95-50-1	1,2-Dichlorobenzene
541-73-1	1,3-Dichlorobenzene
106-46-7	1,4-Dichlorobenzene
91-94-1	3,3'-Dichlorobenzidine
120-83-2	2,4-Dichlorophenol
84-66-2	Diethylphthalate
105-67-9	2,4-Dimethylphenol
131-11-3	Dimethylphthalate
534-52-1	4,6-Dinitro-2-methylphenol
51-28-5	2,4-Dinitrophenol
121-14-2	2,4-Dinitrotoluene
606-20-2	2,6-Dinitrotoluene
84-74-2	Di-n-butylphthalate
117-84-0	Di-n-octylphthalate

206-44-0	Fluoranthene
86-73-7	Fluorene
118-74-1	Hexachlorobenzene
87-68-3	Hexachlorobutadiene
77-47-4	Hexachlorocyclopentadiene
67-72-1	Hexachloroethane
193-39-5	Indeno(1,2,3-cd)pyrene
78-59-1	Isophorone
91-57-6	2-Methylnaphthalene
95-48-7	2-Methylphenol
108-39-4	3-Methylphenol
106-44-5	4-Methylphenol
91-20-3	Naphthalene
88-74-4	2-Nitroaniline
99-09-2	3-Nitroanaline
100-01-6	4-Nitroaniline
98-95-3	Nitrobenzene
88-75-5	2-Nitrophenol
100-02-7	4-Nitrophenol
621-64-7	N-Nitroso-di-n-propylamine
86-30-6	N-Nitrosodiphenylamine
62-75-9	N-Nitrosodimethylamine
87-86-5	Pentachlorophenol
85-01-8	Phenanthrene
108-95-2	Phenol
129-00-0	Pyrene
110-86-1	Pyridine
120-82-1	1,2,4-Trichlorobenzene
95-96-4	2,4,5-Trichlorophenol
88-06-2	2,4,6-Trichlorophenol

Inorganics	
CAS No.	**Compound Name**
7440-38-2	Arsenic
7440-39-3	Barium
7440-43-9	Cadmium
7440-47-3	Chromium
7439-97-6	Mercury
7782-49-2	Selenium
7440-22-4	Silver

Aroclors	
CAS No.	**Compound Name**
12674-11-2	Aroclor - 1016
11104-28-2	Aroclor - 1221
11141-16-5	Aroclor - 1232
53469-21-9	Aroclor - 1242
12672-29-6	Aroclor - 1248
11097-69-1	Aroclor - 1254
111096-82-5	Aroclor - 1260

PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

Include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information

Owner's Name:_____

Title:_____

Company:_____

Street Address:_____

City:_____ State:_____ Zip Code: _____ Phone:_____

Site Information

Site Name: _____

Site Address: _____

City: _____ State:_____ Zip Code: _____ County: _____

Illinois inventory identification number:_____

Real Estate Tax Index/Parcel Index No._____

I hereby certify that I have reviewed the attached No Further Remediation Letter and that I accept the terms and conditions and any land use limitations set forth in the letter.

Owner's Signature: _____ Date: _____

SUBSCRIBED AND SWORN TO BEFORE ME
this _____day of _____, 20__

_____
Notary Public

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

Notice to Remediation Applicant

Please follow these instructions when filing the NFR letter with the County Recorder's Office

Instructions for Filing the NFR Letter

The following documents must be filed:

A. Body of the NFR Letter (contains appropriate terms and conditions, tables, etc.)
B. Attachments to NFR letter
- Illinois EPA Site Remediation Program Environmental Notice (Legal Description and PIN of property)
- Maps of the site
- Table A: Regulated Substances of Concern (if applicable.)
- Property Owner Certification

C. A copy of the ordinance, if applicable, used to address groundwater contamination

1. Place the Illinois EPA Site Remediation Program Environmental Notice on top of the NFR prior to giving it to the Recorder.

2. If you are not the owner (record title holder) of the property on the date of filing of this NFR, you must attach a **completed** owner's certification form signed by the owner of the property at the time of filing (e.g., if the property recently sold, the new owner must sign).

3. If any of the terms and conditions of the NFR letter references a groundwater ordinance, you must record a copy of the groundwater ordinance with the NFR letter.

4. If any of the terms and conditions of the NFR letter references a highway agreement, you must record the highway agreement if specifically required by the municipality granting the agreement, the County or the Illinois Department of Transportation.

5. Within thirty (30) days of this NFR Letter being recorded by the Office of the Recorder of the County in which the property is located, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Jim Scott
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

6. **Remove this page from the NFR letter, prior to recording.**

If you have any questions call (217) 524-6940 and speak with the "project manager on-call" in the Site Remediation Program.

Crosby Theodore LLC | 1817 Church Street, Evanston Ill. 60201

Sent via electronic mail to Meagan Jones and Michael Griffith for distribution to the LUC

City of Evanston Land Use Commission
Matt Rodgers, Chair
2100 Ridge Avenue
Evanston, IL 60201

CC: Michael Griffith, Lead Planner

February 17, 2023

Re: **Executive Summary**[1]

Dear Chairperson Matt Rogers and Members of the Land Use Commission:

HODC comes before the Land Use Commission with a proposal that is extraordinary both in its breadth and its financial pretext. It requests seven major variations from the zoning code without meeting the required standards for approval for any of its requests. When confronted by community stakeholders with compelling objections and concerns, HODC has refused to make or consider meaningful changes, and has avoided answering questions to assuage the community's disquiet.

Legal stakeholders have raised striking objections relating to the proposal's height, setbacks, impervious surface coverage, density, stormwater management, resulting burdens on area residents, and other innumerable issues, and have requested the basis for, and reasoning behind, each. Rather than providing candid responses, HODC has used tactics of avoidance, redirection, and obfuscation to distract from its proposal's extreme and inappropriate deviation from the City's zoning code.

HODC has made superficial changes to its proposal, such as a 1" – rather than a 0" – setback on the west side, which do not address stakeholder concerns. Despite repeated requests by stakeholders that HODC work with the community and share its materials, and even explicit direction from the Land Use Commission to do so, HODC instead makes minute changes to its proposal that do nothing to incorporate or address community requests. The changes instead attempt to distract stakeholders and push the proposal forward without compromise, community input, or modification.

1 This is a summary of our Supplemental Response to Legal Stakeholder Objections to Major Variation Requests by Housing Opportunity Development Corporation (HODC), 1801-1815 Church Street, Applications No. 22ZMJV-0092 and No. 22ZMJV-0089. It should be read in tandem and consistent with our other submissions.

Community members have also requested that HODC provide to the public its studies and evidence related to stormwater management and use of underground storage tanks, and its structural evaluations and evidence demonstrating that construction will not affect the integrity of the adjoining historic landmark property. To date, HODC has not done so.

HODC submits a budget for its proposal which is out of line with industry standards for even high-end, luxury, ground-up construction projects. For units sized between 615 and 1053 square feet, HODC proposes a $22 million budget, with a $500,000 per-residential unit cost and a valuation of $475 to $813 per square foot. It plans to assess a "developer fee" of almost $2,000,000 and to collect over $1,000,000 in management fees over the course of its ownership. These numbers are in addition to ongoing, perpetual rental income to be collected by HODC. When viewed in light of other residential developments, these costs are far outside those typical for a project of this size and type, and demonstrate that HODC intends to build a project at this scale for the sole purpose of extracting additional income.

HODC asserts that its building is designed in a manner that utilizes economies of scale and facilitates sufficient management of the property. Yet within the last six years alone, HODC has constructed affordable housing projects ranging in size between 13 and 40 units, which incorporate varied units of one to three bedrooms. Further, at its various Evanston properties, HODC is unable to provide sufficient management without seeking additional income from the City. HODC's own actions thus contradict its provided narrative.

The seven variations requested by HODC must be rejected by the Land Use Commission for failing to meet the standards for approval. In the words of Commissioner Westerberg: "If you have to jump through so many hoops to get to this point where it's economically feasible….When you look at the number of zoning variations…It's almost as if we have to throw out zoning to say that this is a project that passes muster."

This proposal is not an all-or-nothing consideration in which HODC has the privilege of asserting that its single narrative is the only correct one. The Land Use Commission should accordingly reject each of HODC's major variation requests.

Crosby Theodore LLC | 1817 Church Street, Evanston Ill. 60201

Sent via electronic mail to Meagan Jones and Michael Griffith for distribution to the LUC

City of Evanston Land Use Commission
Matt Rodgers, Chair
2100 Ridge Avenue
Evanston, IL 60201

CC: Michael Griffith, Lead Planner

February 17, 2023

Re: **Supplemental Response to Legal Stakeholder Objections to Major Variation Requests by Housing Opportunity Development Corporation (HODC), 1801-1815 Church Street, Applications No. 22ZMJV-0092 and No. 22ZMJV-0089**

Dear Chairperson Matt Rogers and Members of the Land Use Commission:

Crosby Theodore LLC ("Crosby Theodore," "us," "our," and "we"), as owner of the Historic Landmark building adjoining the proposed developments by the Housing Opportunity Development Corporation ("HODC") and Mt. Pisgah Ministry, Inc. ("Mt. Pisgah"), submits this supplemental response to the Land Use Commission ("LUC") in objection to the Proposals.[1]

As tenant and sole occupant of the 1817 Church Street building owned by Crosby Theodore, Jackson LLP joins in this response (collectively, "our business," "us," "our," and "we").

This submission of additional materials ("Supplemental Materials") responds to HODC's February 13, 2023 submission ("New HODC Packet")[2] and raises additional concerns, including those related to stormwater management, issues of structural integrity, the proposed budget and costs, financial questions, and justifications of the Proposal's size and scale.

Accordingly, we respectfully submit the enclosed for the LUC's consideration.

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1 *See also* "Legal Stakeholder Objections to Major Variation Requests by Housing Opportunity Development Corporation (HODC), 1801-1815 Church Street, Applications No. 22ZMJV-0092 and No. 22ZMJV-0089, dated February 7, 2023, submitted to City Staff 2/7/23 at 5:36 pm, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87729 (all arguments from which are incorporated and restated herein).

2 New HODC Packet, Feb. 13, 2023, attached as Exhibit B "20230217 Exhibits Collated for Supplemental Materials (Submission Copy).pdf."

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Facts

No public meeting with HODC. After an initial hearing on January 11, 2023 ("January 11th Hearing"), the LUC continued the hearing on the HODC proposed development ("HODC Proposal") and the Mt. Pisgah project ("Mt. Pisgah Proposal") to February 8, 2023. LUC directed HODC to hold public meetings and liaise with the public. HODC did not and has not done so. At the February 8, 2023, LUC Meeting ("February 8th Hearing"), the LUC heard several hours of testimony and rebuttal responses, after which it continued the hearing to February 22, 2023. Prior to continuing the matter, the LUC voted to keep testimony on the two Proposals "Open."

HODC does not address the public's concerns. At the February 8th Hearing, numerous invested constituents, residents, and stakeholders spoke, voicing vehement opposition to the HODC Proposal. Stakeholder reasons for opposition included, without limitation:

- Inappropriate density for the area, leading to an untenable increase in traffic and decrease in ability of current residents to park;
- Inappropriate height and front setback proposals that do not align with the character of the current streetscape, neighborhood, and height lines;
- Inappropriate rear/north setback proposals, which will cause vehicle congestion and pedestrian and cyclist safety issues in the rear/north alley;
- Inappropriate east/west setbacks, which will create problems related to structural integrity, stormwater management, light, noise, and other issues related to use and enjoyment of nearby and adjoining properties;
- Inappropriate density for the plot of land at issue;
- Provision of affordable housing that is not actually affordable (*e.g.*, one resident explained that Evanston's median income is $100,000, meaning that those qualifying for affordable housing, in this case, would include those who earned $60,000/year, which does not constitute a low-income household);
- The extraordinary cost of the Proposal;
- The inappropriately-high cost of the Proposal that exceeds amounts required even to construct luxury housing;
- Significantly better alternatives for development of affordable housing, particularly scattered site housing;
- Lack of notice to area residents;
- Failure to work with local residents to create a Proposal that is mutually agreeable to residents; and
- Over-concentration and oversaturation of affordable housing within the 5th Ward, as opposed to throughout the City of Evanston;[3] and
- Questions seeking clarification of issues related to structural integrity, stormwater management, height concerns, density concerns, and financial disclosures.[4]

Although HODC was provided an opportunity to respond, the above issues remain and our questions remain unanswered.

HODC continues to provide inaccurate information. To make matters worse, HODC admitted that the packet it previously submitted to staff at the City of Evanston Planning Department ("Original HODC Packet") contained a variety of inaccuracies, including as it relates to the actual and substantive renderings of the HODC Proposal.[5] Indeed, since its submission, HODC confirmed

3 *See, e.g.* "Neighbors Fight Affordable Housing Plans," Bill Smith, Feb. 9, 2023, *located at*: https://evanstonnow.com/neighbors-fight-affordable-housing-plans/ (demonstrating oversaturation of affordable housing in 5th Ward as compared with the 8 other Evanston Wards).

4 *See* Exhibit A, attached here ("Questions for Applicant"), "20230217 Exhibits Collated for Supplemental Materials (Submission Copy).pdf."

5 Oral Testimony given by Richard Koenig, Land Use Commission Meeting, 2/8/2023.

that a number of items in the HODC Proposal had been altered. The changes shown and described during the February 8th Hearing by HODC to its Original Packet included:

- Inclusion of "Juliet" balconies on the building's façade/south;
- Removal of windows from the building's west side;
- Continuation of brick façade to wrap around the building's west and east sides;
- A new roof-deck structure to connect two "towers" on the building's façade/south;
- An awning at the ground level that extends 2' into the pedestrian walkway;
- A setback at the rear/north property line of 30" rather than 0"; and
- Removal of planters on the Church Street sidewalk at the building's south property line.

Both Commission Members and City staff expressed surprise and concern that the Original HODC Packet, plans, and renderings before them were inaccurate. Accordingly, HODC was directed to submit an updated, accurate packet to City staff by Monday, February 13, 2023, for review.[6]

Upon reviewing the New HODC Packet, it appears that even the alterations to the Original HODC Packet presented by HODC at the meeting were partially inaccurate. The final changes in the New HODC Packet are listed as follows:

- Continuation of the brick façade to wrap around the building's *west* side;
- Removal of planters on the Church Street sidewalk at the building's south property line;
- A setback at the rear/north property line of 30" rather than 0";
- Updated unit sizes and layouts based on new dimensions; and
- A setback on the building's west side of 1" rather than 0".[7]

Despite that they are not listed within their proposed changes, the New HODC Packet shows renderings that include the changes below:

- Inclusion of "Juliet" balconies on the building's façade/south;
- Removal of windows from the south portion of the building's west side; and
- An awning at the ground level.[8]

In other words, HDOC listed the first set of changes above in their letter that was attached to the rendering. However, the bottom three items were not listed in their letter but were shown in their renderings. HODC continues to present incomplete and inaccurate information to the LUC. Until the LUC has before it a complete and accurate representation of HODC's Proposal, the LUC should withhold its consideration.

HODC withholds information from the public. In tandem with providing the above-altered information during the February 8th Hearing, Mr. Richard Koenig put forth a "shadow study" that HODC designed earlier that same day. We disagree with Mr. Koenig's assertions that the

6 New HODC Packet, Feb. 13, 2023, attached as Exhibit B, "20230217 Exhibits Collated for Supplemental Materials (Submission Copy).pdf."

7 New HODC Packet, Feb. 13, 2023, at p. 1, attached as Exhibit B, "20230217 Exhibits Collated for Supplemental Materials (Submission Copy).pdf."

8 *Id.* at p. 8-10.

study demonstrates that light at our adjoining property will be only somewhat affected, especially in light of our unique considerations related to light, as explained in our 2/7/23 Written Testimony. HODC has not made public (as it must) supporting documents and information relating to the "shadow study," so we, and the public, cannot understand its framework, suppositions, foundation, and reliability. Thus, LUC should disregard the Shadow Study in its entirety.

HODC confirmed that it had soil boring samples, phase II environmental studies, and other related documentation. HODC promised to provide the requested information. As of the date of this document, it has yet to do so.

LUC has directed HODC to involve the community and to "share its materials." HODC has done neither. HODC has demonstrated a pattern and practice of lack of transparency and failure to adhere to LUC's directives, and thus LUC should reject HODC's proposals.

Analysis

I. Arguments[9]

A. The New HODC Packet does not address any of the underlying issues with the major Variations.

We address as an initial matter the changes to the Original HODC Packet. HODC made changes to its proposal since submission of the Original HODC Packet – none of which were presented to City staff or the Land Use Commission until the February 8th Hearing – and which fail to address true stakeholder concerns. Our understanding is that HODC has changed its Proposal to now incorporate the following:

- Inclusion of "Juliet" balconies on the building's façade/south;
- Removal of windows from the building's west side;
- Continuation of brick façade to wrap around the building's west side;
- A new roof-deck structure to connect two "towers" on the building's façade/south;
- An awning at the ground level;
- A setback at the rear/north property line of 30" rather than 0';
- A setback at the west property line of 1" rather than 0"; and
- Removal of planters on Church Street sidewalk at building's south property line.[10]

The above changes are mere platitudes that do not address the depth and breadth of our and other stakeholders' concerns.

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9 Within these supplemental materials we reiterate and incorporate each of our previous arguments within our 2/7/23 Written Testimony and within our oral testimony provided at the Land Use Commission Hearing of February 8, 2023 ("February 8th Oral Testimony"). Please also see the Major variations requested and Standards for Approval, attached as Exhibit D, "20230217 Exhibits Collated for Supplemental Materials (Submission Copy).pdf."

10 *See* New HODC Packet, Feb. 13, 2023, attached as Exhibit B, "20230217 Exhibits Collated for Supplemental Materials (Submission Copy).pdf."

As legal stakeholders and adjoining neighbors to the proposed development, we are invested in additions to the neighborhood which comport with the character and fabric of the surrounding area. While such comportment may include architectural features that provide visual interest and references to existing architectural elements of nearby properties, it more substantively hinges on the maintenance of the scale and scope of any development relative to the streetscape and its historic character. The inclusion of a brick façade and Juliet balconies may be a "visual feature," but it does nothing to scale back the extreme height and footprint of the proposed development, which will inalterably hijack the character and fabric of the streetscape in a manner from which no balconies or façade materials could distract.

HODC has put forth "compromises" in the form of discrete – and in our view slap dash – architectural features. It does so in a manner that purports to offer compromises to stakeholders but which seeks to distract stakeholders and the LUC from the true and sole issues before it: HODC's requests for seven Major Variations.

The only change that relates to any of the requested Major Variations provides only minimal alteration to the development's rear setback, a modification which is insufficient in scope.[11]

Increasing the rear/north setback to 30", rather than the required 5', at the shared rear alley does little to alter our concerns. Namely, it: does not ameliorate the increased alley congestion; has a potentially detrimental effect on our intended rear garage/affordable dwelling unit; results in a lack of privacy; causes safety concerns due to increased traffic for pedestrians and bicyclists who regularly use the alley; creates noise; and inhibits unique considerations of light.

During the February 8th Hearing, Commissioner Lindwall asked regarding the rear/north setback:

> "Why can't you provide the 5-foot rear yard? And in particular, I mean that's a 16-foot alley, and you're going to have at least 44-45 cars coming out of it...how are you going to get your dumpsters out on trash day? Are they going to be sitting in the alley on trash day?"[12]

Mr. Koenig responded by displaying previously-unseen renderings of HODC"s newly-proposed 30" setback to the LUC and the public, stating, "we've been able to push the building back 30 inches from the alley….it's not the full five feet but we can make it [the 30"] work."[13]

Mr. Koenig failed to answer Commissioner Lindwall's questions regarding *why* HODC cannot provide the full 5' setback. We highlight that Mr. Koenig repeatedly redirects questions in this manner rather than demonstrating why he meets his burden to prove the need for a requested Variation. Indeed, HOCD's revised rear setback proposal remains a significant problem and fails to meet the required Standards for Approval.

---

11 We incorporate here our objections to the rear setback Variation request explained within our 2/7/23 Written Testimony and our February 8th Oral Testimony.

12 Oral Testimony taken from February 8th Hearing, at 3:03.10.

13 Oral Testimony taken from February 8th Hearing, at 3:06.10

B. The New HODC Packet fails to address significant stakeholder concerns, including those related to height, setback, scope, density, stormwater management, and structural integrity.

As above, the New HODC Packet minimally (if at all) addresses more superficial, rather than substantive, concerns.[14] Again, adding balconies and a continued brick façade to the building's sides does not address our myriad and significant concerns, including: water infiltration due to increased impervious surface coverage, structural integrity due to 0' setback between adjoining buildings, effect on use and enjoyment of our property (and others in the area) related to traffic, parking, pedestrian and cyclist safety, and unique considerations of light and noise related to our property. The above-listed changes are only distraction from the substance of the significant considerations at issue.

When questioned, Mr. Koenig provides a series of non-answers and statements which avoid addressing the relevant issues.

1. <u>HODC fails to address concerns about the proposed height and density.</u>

We asked Mr. Koenig:

> "What thought has been given to a 4-story building (instead of a 5-story building)? Please describe in detail.
>
> What evidence can be proffered to substantiate that a different height is infeasible that is in addition to the general principle of affordable housing?"[15]

He answered neither. He also failed to answer Commissioner Westerberg's questions:

> **Commissioner Westerberg:** "*If you have to jump through so many hoops to get to this point where it's economically feasible*, and I understand how important the scale is, and the size is, to get to where that does happen, *you're squeezing it all onto a site that may not be the most appropriate for it. When you look at the number of zoning variations... It's almost as if we have to throw out zoning to say that this is a project that passes muster*."[16]
>
> **Mr. Koenig:** "If we lose units, or lose size of units, it's not worth it because we can do things visually that make that, that have the same impact and still be able to meet all those things we're trying to achieve."[17]

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14 Within and throughout this response we reiterate and preserve our arguments related to the Major Variations in height; setback on the north, south, east, and west sides; impervious surface area coverage; and the front/south loading dock. We continue to object to each listed Major Variation for the reasons set forth within our 2/7/23 Written Testimony and our February 8th Oral Testimony. To avoid redundancies, however, we highlight here only particular issues about which we have asked HODC and received non-answers or partial answers, or about which we have new concerns.

15 *See* Exhibit A, "20230217 Exhibits Collated for Supplemental Materials (Submission Copy).pdf."

16 Commissioner Westerberg, Oral Testimony taken from February 8th Hearing, at 2:58 (emphasis added).

17 Richard Koenig, Oral Testimony taken from February 8th Hearing, at 2:58.

> **Commissioner Westerberg:** "I might argue a little bit that, as nice as that is, a setback still has more of an impact at the street level when you're looking up. And my question was, can you lose some units, and still keep 3-bedroom units. Can your program absorb a little bit of a push here?"[18]
>
> **Mr. Koenig:** "I don't even want to say it: if it goes taller. Simply squeezing those down and making them tighter and smaller I don't think does justice to the people that are going to be living there. The size of the units is that they are comfortable, they are units to live in..."[19]

It is evident from this exchange that Mr. Koenig left each of these questions related to height unanswered. Instead of working to meet HODC's burden related to *any* of the seven standards being considered (by providing evidence related to the necessity of its requested Variation in height), Mr. Koenig offered statements without substance or consideration of the issues.

First, rather than justifying the necessity of the requested height Variation, Mr. Koenig offered that "we can do things visually that…have the same impact" as a decrease in height. Adding a few visual elements does not change the fact that it will be taller, by several stories, than all surrounding buildings. No additional architectural features, changes to the proposed building's sightlines, or other small nuances will change the fact that the building will inextricably alter the neighborhood and streetscape's character by immensely increasing the density by increasing height to a level only appropriate within a B3 district (rather than the oWE West Evanston Overlay District), and by altering the feel of the area to one that is distinctly commercial and urban in character and density.

Mr. Koenig is pushing the narrative that the Zoning Code may be ignored and rendered toothless so long as sufficient aesthetic features are incorporated into developments that seek to circumvent it. LUC should reject his narrative.

Second, Mr. Koenig states that reducing dwelling size or the number of units does not "do[] justice to the people that are going to be living there." Again, Mr. Koenig's response does not speak to considerations of height and density. Mr. Koenig not only fails to meet his burden of demonstrating the necessity of the height Variation, he additionally fails to acknowledge the interests of anyone aside from potential future building occupants.

As Carlis Sutton, 5th Ward resident and longtime community representative and advocate, stated:

> "The Zoning Ordinance and Adopted Plans makes protection of residential neighborhoods the top priority. We, as stakeholders, are mandated that any development conform to the Standards and the Tests. Is there something about my particular neighborhood that makes it ineligible for these protections? What excludes us?.... Don't facilitate a political decision to move this development on without visualizing the harm that this message will send out. *The citizens concerns*

18 Commissioner Westerberg, Oral Testimony taken from February 8th Hearing, at 3:01.
19 Richard Koenig, Oral Testimony taken from February 8th Hearing, at 3:01

> *don't count. Zoning laws are not important*. City plans and citizen participation are irrelevant. *Virtually all of the discussion that I've heard this evening and before the Task Force, has been about the occupants of the building and how to improve things for them. But the Developer expressed little or no interest in addressing the harm to the neighborhood, and did not agree to any corrections to reduce this harm*."[20]

HODC must address the concerns of the *current* residents rather than only hypothetical future residents and provide information and evidence that substantiates the ways in which its requested Major Variation in height meets each of the seven Standards for Approval before the LUC.

2. <u>The revised west side 1" setback changes nothing.</u>

HODC proposes an "offset" of 1" from our property (on the development's west side) "as requested."[21] A 1" setback from our adjoining property line is *not* what we have "requested." We requested instead that the LUC deny the setback Variation request on the development's west side for its failure to meet the Standards for Approval. Moreover, Mr. Koenig's responses during the February 8th Hearing related to the west side setback neither (a) address the actuality of our concerns, nor (b) meet HODC's burden of proving that such Variation meets any of the seven individual Standards for Approval.

Commissioner Lindwall and Mr. Koenig engaged in the following dialogue regarding the west setback:

> **Commissioner Lindwall:** "How would a 5-foot setback to the west be treated? Would it be sidewalk access? Permeable pavers? Dirt?.... The question is how would you treat that?"[22]
>
> **Mr. Koenig:** "This is the current situation... It [Mt. Pisgah's existing building] is directly up against the property... our opinion and why we wouldn't want to do a five-foot setback between the buildings, I think it would create a tremendously unsafe condition. To have a gangway between two buildings that's five feet wide that's sort of a no-man's land, I believe it creates an unsafe situation where you wouldn't want that gap between there. You want the buildings those buildings that are up against each other, the safe way to do it would be to have those buildings up against each other so you don't have that gap, you don't have the ability for people to go in there, for people to hide, again shaded area you won't be able to grow anything, it's not going to be productive, not going to be useful, it's not going to be helpful for anybody."[23]

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20 Minutes of May 22, 2006, Planning and Development Committee, p.11-12, attached as Exhibit C (emphasis added).

21 New HODC Packet, dated Feb. 13, 2023, at p. 1, attached here as Exhibit B, "20230217 Exhibits Collated for Supplemental Materials (Submission Copy).pdf."

22 Commissioner Westerberg, Oral Testimony taken from February 8th Hearing, at 2:46 – 2:48.

23 Richard Koenig, Oral Testimony taken from February 8th Hearing, at 2:46 – 2:48.

> **Commissioner Westerberg:** "Was there any discussion about how you might be able to size the parcels a little differently, so you could get more of a setback both from the street in front and then from the sides? I understand what you're saying about the five-foot setback and having a gangway. But on the other hand, *think about putting the taller building right next to an adjacent historic building, not only the risk to the historic building and everything else, but just the impact of the construction itself.* What about trying to look at the parcels in a way, I understand trying to get as much use out of the land as possible, but *there's also a part of the zoning that talks about complementing the neighborhood. That's hard to do when you take up that much land*."[24]
>
> **Mr. Koenig:** "So the agreement with the church was that they would have no less land than what they have right now. So swapping land and having the church end up with less land was not an option. So the size of the building is the size that... that's the size of the land that we have to work with. With the size of the building, what we're fitting is also accommodating, is the size of the units that we can accommodate. We knew that we wanted to have family-sized units, we knew that we wanted to have 2- and 3-bedroom units. We didn't just want to have small studio units, so in order to create units that are larger, and real family-sized units...so the iterative process of looking at the size of a good 2- and 3-bedroom unit and how that would fit on the floor and how that would lay out...the t-shape of the building respects that front, so the t-shape, it's actually deeper in the back so the existing building is deeper than our front T is going to be. The T is as short as it can be to have those units, double open corridor on the sides, but then they come back. Towards the back of the site, where their garden and patio is in the back, we're creating the ability to have that building pulled in, so it creates less shade, it creates less of an impact on the back of their building."[25]

Mr. Koenig again relies on his assertion that the dwellings within his proposed development must be sized and designed in a particular way, with no room for variability. Even if LUC was to consider this singular issue, as Mr. Koenig seems to request, HODC does not demonstrate how smaller or differently-designed units would *not* be family-sized or comfortable. He simply asserts that these units – as designed – constitute the *only* version that meets these characteristics.

Certainly, this is not a singular issue of whether units are sized as Mr. Koenig desires. We – and the LUC – have posed to Mr. Koenig the question of why the 0'/1" setback Variation at the development's west side is necessary. HODC has provided no relevant reason that justifies the requested Variation. LUC should reject the assertion that we must simply accept the information and viewpoint offered here by Mr. Koenig. Instead, Mr. Koenig has the burden to demonstrate

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24 Commissioner Westerberg, Oral Testimony taken from February 8th Hearing, at 2:52.00 (emphasis added).

25 Richard Koenig, Oral Testimony taken from February 8th Hearing, at 2:52.00.

why and how the Major Variation requested related to the west-side setback here meets each Standard. He has not done so.

Additionally, LUC should reject the assertion that a 5-foot setback at the proposed development's west side will result in a "gangway" or "no-man's land." Below are several options within a 5-foot setback space (each could be built on a permeable surface such as gravel, beach rocks, brick, or turf, such as that comprising the Robert Crown athletic fields, and/or shade plants, such as ferns, hosta, and tall native grasses):

- A gravel parking area to extend parking between the buildings;
- A patio area in which residents can gather and eat outdoors;
- A public thoroughfare through which area residents could cut to reach the north/south access to the "T" in the alley to the development's north; or
- A contained, fenced, play area geared towards small children in the development, modeled after, for example, the play area immediately to the east side of the new Robert Crown building.

We offer these suggestions in part to illustrate that this is not an all-or-nothing proposal with no alternative options, as HODC repeatedly contends. Indeed, as adjoining neighbors, we would be happy to work with HODC to determine a mutually agreeable plan for the setback area. We have repeatedly asked for such consideration and involvement and restate here our interest and investment in being part of this conversation.

We urge LUC to reject HODC's proposal.[26]

3. <u>HODC has not addressed water infiltration and flooding due to the increase in impervious surface area.</u>

HODC contends that the underground storage vaults will remedy any stormwater concerns and issues. We disagree on three grounds. First, HODC has provided no evidence of the sufficiency of such tanks in holding water as described and no impact studies by HODC on the Evanston and Metropolitan Water Reclamation District ("MWRD") sewer systems or the Tunnel and Reservoir System ("TARP"). Second, HODC has not allotted within its budget the substantial maintenance costs required to care for such tanks, indicating they are not positioned to adequately maintain and service the storage tanks as needed. Finally, significant stormwater runoff at ground level will not be fully addressed by HODC's proposed storage tanks.

With regard to our first objection, HODC has not:

(1) demonstrated the efficacy and durability of its proposed underground storage vaults;
(2) provided information demonstrating what size storm event the system is intended to handle and over what period of time, including what emergency overflow system will be in place to convey flows larger than can be handled by the water storage system or where the system fails for any reason;

26 A 1" setback as no different than one that is 0" setback, we incorporate here without limitation, our arguments related to setback within our 2/7/23 Written Testimony and February 8th Oral Testimony.

(3) addressed what maintenance would be required to ensure the continued full functionality of such tanks and answer whether HODC has within its budget and employee resources, the ability and intent to ensure ongoing appropriate maintenance; and,
(4) provided materials, including impact studies on the City, MWRD, and TARP sewer and overflow systems, which indicate that the current aging and fragile sewer infrastructures can withstand and support regular releases from a 44-unit building with a total impervious surface area of 0.03%.

We are concerned about general usage of underground storage tanks rather than the use of Best Management Practices (BMPs).[27] In particular, we raise concerns about the use of such a system in Evanston's cold climate, as "[c]lose attention to maintenance is extremely important in cold climate use."[28] The specialized and expensive maintenance required for such underground storage systems is especially critical as it relates to the cold climate.

Second, the costs of maintaining underground storage systems are higher than those involving surface stormwater management techniques and necessitate the use of special equipment and access for routine maintenance.[29] Although HODC's operating budget for this proposal contains entries relating to maintenance (including extermination, trash removal, security costs, and snow removal), it contains no budgeted amounts designated to address maintenance of the underground water holding tanks.[30] It appears, therefore, that HODC has not budgeted for the costly, regular maintenance required to ensure its underground water holding tanks function smoothly. This raises the issue of whether HODC has the equipment necessary to address regular maintenance and acute issues of functionality, filtration, blockage, backflow, and overflow, and if HODC is even aware of the necessity of using such equipment.

Regarding our third concern: Ground-level surface runoff will not be addressed by the proposed underground water vaults. There will be significant runoff onto neighboring properties and streets prior to diversion to the underground system, which is part-and-parcel of developing a property that is covered by impervious surfaces everywhere but over 0.03% of the total area. In other words, groundwater will collect on all four sides of the building (for example, on the semi-open parking pad at the development's rear, west side), which will have nowhere to go on the subject property. Rather stormwater will flow laterally to properties surrounding the development, especially the property at 1817 Church Street. Impervious surface area planning by HODC at the ground level *must be altered* to expand the permeable surface area within and around the HODC Proposed development.

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27 Stormwater Management, Lake Superior Streams, *located at*: https://www.lakesuperiorstreams.org/stormwater/toolkit/underground.html.
28 Stormwater Management, Lake Superior Streams, *located at*: https://www.lakesuperiorstreams.org/stormwater/toolkit/underground.html.
29 Stormwater Management, Lake Superior Streams, *located at*: https://www.lakesuperiorstreams.org/stormwater/toolkit/underground.html.
30 *See* Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 12-16, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000.

A five-foot setback on the development's west side need not constitute a "gangway," or a "no-man's land." It could provide a safe place for resident children to play, an outdoor space in which residents could eat, a designated game area with permanent structures such as shuffleboard courts, a turfed area edged by shade plants in which residents and children could picnic and play games, a gravel parking area, among other options. LUC should not accept HODC's all-or-nothing proposal that HODC's single narrative is the only correct one.

Because of the stormwater runoff issue, we urge LUC to deny HODC's request for a Major Variation in setback at the development's west side.[31]

4. <u>The proposal imperils the structural integrity of our Historic Landmark property.</u>

Vibrations resulting from excavation directly on the adjoining property line (or at most, 1" from such property line) with 1817 Church Street may result in subsidence and other related structural and foundational issues at our Historic Landmark property. Commissioner Lindwall discussed this at the last hearing:

> **Commissioner Lindwall:** "Obviously the church would be demolished and you'd have to do foundations, and clearly the structural integrity maintaining that of 1817 Church is going to be, it's a construction detail and would need to be carefully considered."[32]
>
> **Mr. Koenig responded:** "It was discussed by the engineers that they would do a levered system so that, if there's nothing there it would be a different construction style, but they'll have to do a levered style where they're building from the middle out to protect that building and keep it safe."

Essentially, HODC continually seems to serve us the following narrative: "It will be fine; take our word for it."

LUC should not take Mr. Koenig's "word for it" that "it will be fine." Without evidence demonstrating the safety of the HODC construction plan related to the structural integrity of our property, the LUC must reject HODC's assertions.

Mr. Koenig has promised to provide the soil boring samples and the phase II environmental study but has made neither available to the public. LUC should not consider this Proposal until HODC provides:

- Preconstruction surveys which include videos, photographs, and documentation of adjacent property conditions;
- Geotechnical reports;
- Proposals on whether tiebacks are necessary at adjoining properties;
- A study of the water table and underground hydrology;

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31 We refer here to our 2/7/23 Written Testimony, and exhibits attached thereto, demonstrating the significant, consistent, and considerable water infiltration problems experienced from stormwater by the 1817 Church Street building over the years

32 Oral Testimony taken from February 8th Hearing, at 2:49.45.

- Engineering shoring plans that consider, at a minimum:
  - surcharge loads from adjacent structures, soil stockpiles, and equipment;
  - geotechnical assumptions resulting from a geotechnical report that identifies the underlying soil strata and geologic conditions;
  - water table and dewatering considerations related to the determination above;
  - vibration risk assessment and specifications for the control of construction vibrations; and
  - assessment support for neighboring structures.[33]

Considering that our Historic Landmark building is "older and would have a tendency for lower tolerance of vibration induced damage," [34] we are extremely invested in reviewing each of the above because "[d]irect energy from vibration which can damage structures is a function of the type of construction equipment or method used [ ], the distance away from the source, along with the type of soil present."

Unless and until HODC provides evidence and documentation to demonstrate the sufficiency of each of the above considerations, the LUC should reject the proposal.

C. HODC has not shown that the Variations are the least deviation from the Zoning Code.

HODC has not established that its requested Major Variation incorporates the least deviation possible from the Zoning Code. Instead, HODC asserts that "[t]he design team has considered many alternatives and the variances requested create the best possible project for the area," but provides no information on why or how this Proposal might be appropriate for the area or involve the least deviation from the code.[35] In addressing this standard during the February 8th Hearing, Commissioner Mirintchev asked of Mr. Koenig:

> "You were asked whether there are feasibility studies and you mentioned that this is the only feasible option. Is that correct? Do you have any other feasible options for this lot?"[36]

In response, Mr. Koenig put forth a wholly non-answer:

> "*This is our best option*. We considered a lot of other options, it is an iterative process to get to this point, this meets the goals we are trying to achieve, and when we submitted our plans to the city back in 2020, this is the type

33 *See* "Structural Damage from Adjacent Construction Projects," Anthony Volonnino, Aug. 15, 2017, located at: https://www.robsonforensic.com/articles/structural-damage-vibration-adjacentconstruction-expert (recommending same, "particularly…if the [adjoining] building is older and would have a tendency for a lower tolerance of vibration induced damage").

34 *Id* (emphasis added).

35 HODC Requested Variations Application, p.4, located within Land Use Commission Packet, Jan. 11, 2023, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87272/638086175893300000.

36 Oral Testimony taken from February 8th Hearing, at 3:07.

> of project that we had proposed…*We are presenting the proposal that we would like to go forward with*."[37]

Commissioner Mirintchev explained in response:

> "Well, our standards, and there are seven, I am *emphasizing that this should be the least deviation*…"[38]

We summarize for the LUC Mr. Koenig's response to why the proposed Variations demonstrate the least deviation from the Zoning Code: *This is HODC's "best option."* In other words:

- HODC has determined its project to be the "best for the area" and the "best option" for *HODC*.
- HODC purports to substitute its own opinions and considerations for those of the LUC and for those of the community.
- This *project seems to be about HODC alone*: what HODC wants, what HODC thinks is best, and what HODC deems appropriate for an area in which none of its members or employees work or reside.

The LUC should reject HODC's conclusory statements and reject this proposal because HODC has not met its burden and demonstrated it has designed its property with the minimal amount of deviation possible from the Code.

D. HODC's economies of scale argument are inconsistent with its practices, other recent developments, and industry standards.

1. <u>HODC's economies of scale argument contradict HODC's practices and its recent developments.</u>

HODC refuses to consider eliminating or sizing down units to scale back its Variation requests related to height and footprint, citing "economies of scale." At the February 8th Hearing, Commissioner Westerberg asked:

> "Did you have a specific target for number of units, or is that something the city discussed with you in looking at the design, and thinking if we shave off a little here, we'll lose a couple of units? But is that an option for reducing the height of the building? And looking also at the neighbors across the alley?"[39]
>
> **Mr. Koenig responded:** "Have not discussed with the city at all, and the city has no impact at all, there is no way the city would have talked about that. What we're trying to do is create economies of scale with the project that's fundable, buildable, operable, people want to make sure that we can continue operating, there were lots

37 Oral Testimony taken from February 8th Hearing, at 3:08 (emphasis added).
38 Commissioner Mirintchev, Oral Testimony taken from February 8th Hearing, at 3:08 (emphasis added).
39 Oral Testimony taken from February 8th Hearing, at 2:54.

> of questions about the ability to continue to run and operate a building like this, get it built, so all those things add into the ability to put together a project like this. *44 is a, in the current standard of affordable housing in IL and throughout the US, 40-60 units is pretty typical for an affordable housing project* that is financed like this. *The economies of scale work for this, the operations work for that, we're able to have the rents that cover that, we're able to have the staffing that's available to do a good job running the buildings*, so simply the way to make it short would be to make it smaller. Make studio units instead of three bedrooms. I could take a floor off if I replaced all the three bedrooms with studios. Again, that's not the population we're trying to serve, that's not who we're trying to help families... that's not acceptable to us as the developer."[40]

HODC's other new developments contradict its assertions. Despite its contention that the proposed 44-unit building is one which makes economics of scale work for new construction affordable housing developments, HODC has, within the last six years, begun or completed new ground-up affordable housing developments of the following number of units:

- 13-Unit New Construction Development consisting of eight 1-bedroom units, two 2-bedroom units, and three 3-bedroom units, completed in 2017;[41]
- 18-Unit New Construction Development consisting of ten 1-bedroom units and eight 2-bedroom units, completed in 2019;[42]
- 16-Unit New Construction Development consisting of ten 1-bedroom units and six 2-bedroom units, completed in 2021[43]; and
- 40-Unit New Construction Development consisting of 40 1-bedroom units, to be completed in the fall of 2023.[44]

For each of the above-listed projects, HODC was not forced to scale units down to studio apartments rather than 2- and 3-bedroom apartments, as Mr. Koenig asserted in his response to the LUC above. Mr. Koenig was able to integrate units of all sizes within HODC's recently-built residential buildings, while also utilizing smaller footprints, height, density, and scale. LUC should require HODC to do so here as well.

Considering the ample evidence to the contrary, a 44-unit building is not (1) necessary to meet any alleged needs related to economies of scale; or (2) the least feasible deviation from what would otherwise be permissible under the Zoning Code. Instead, to use the words of Commissioner Westerberg:

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40 Oral Testimony taken from February 8th Hearing, at 2:55 (emphasis added).
41 *See* Axley Place, Glenview, IL, https://hodc.org/building/axley-place/.
42 *See* Heart's Place, Arlington Heights, IL, https://hodc.org/building/hearts-place/.
43 *See* Cleland Place, Wilmette, IL, https://hodc.org/building/cleland/.
44 *See* Hanover Landing, Elgin IL, https://hodc.org/buildings/hanover-landing/; *See also* Hyacinth Place, Highland Park, IL, https://hodc.org/building/hyacinth-place/ (consisting of 14 total units and completed in 2005).

> "If you have to jump through so many hoops to get to this point where it's economically feasible….When you look at the number of zoning variations…It's almost as if we have to throw out zoning to say that this is a project that passes muster."[45]

HODC's contention that this "is our best option"[46] neither supports arguments related to economies of scale nor provides a single piece of information related to why a 44-unit development involves the least deviation from the relevant Zoning Code.

2. HODC is unable or unwilling to maintain its properties without additional payment from the City.

Mr. Koenig additionally asserted within his testimony that a 44-unit building is necessary to "have the staffing that's available to do a good job running the buildings." However, even when operating within "economies of scale," HODC is unable to meet tenant needs without additional payment from municipalities. For example (of perhaps many):

- Just this year, HODC requested $15,000 from the City of Glenview to "partially offset the cost of the Service Coordinator position" at its Glenview affordable housing development;[47]
- The City of Evanston paid HODC $50,000 to replace 743 Brummel Street's roof, a property that HODC owns and operates;[48]
- HODC requested and was granted a $20,188 forgivable loan from Evanston to construct a restroom in the common area of its building at 319 Dempster street for the use of HODC staff and other service providers;[49] and
- The City of Evanston paid HODC $290,500 for repairs to 131 Callan Avenue, a property that HODC owns and operates.[50]

HODC prefers to have municipalities (and their tax payors) fund his projects. Here, it has not contributed any of its own money and instead relies on the City of Evanston's $4 million

45 Commissioner Westerberg, Oral Testimony taken from February 8th Hearing, at 2:58.
46 Richard Koenig, Oral Testimony taken from February 8th Hearing at 3:07.
47 *See* 2023 Glenview Village Budget Workshop III Memo, The Village of Glenview, p. 10-11, *located at*: https://www.glenview.il.us/Documents/Village%20Budget%202023/2023%20Workshop%20III%20Memo%20FINAL%20with%20attachments.pdf
48 *See* Meeting Minutes, Housing & Community Development Act Committee, Mar. 21, 2017, at p. 2, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/22619/636353803935270000.
49 *See* Meeting Minutes, Planning & Development Committee Meeting, Jan. 28, 2013 at p. 1, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/21153/636349462668670000.
50 *See* Meeting Minutes, Planning & Development Committee, Jan. 24, 2010, at p. 1-2, *located at*: https://www.cityofevanston.org/Home/ShowDocument?id=20801.

affordable housing and TIF funds[51] and payments from the state and federal government.[52] Accordingly, HODC's assertions regarding the need for a greater number of units to advantage itself of economies of scale and ensure it can "do a good job running the buildings" stands in direct contradiction to its own practice and fails to justify the need for any Variation request related to density, including those related to height and setbacks.

3. <u>This Proposal's $500,000 per-unit construction price tag is well above industry standards.</u>

Mr. Koenig contends that affordable housing "is not affordable to build." This element of cost is merely one piece of a puzzle. Here, HODC intends to build residential units consisting of:

- 615-670 square feet for a 1-bedroom;
- 782-908 square feet for a 2-bedroom; and
- 992-1053 square feet for a 3-bedroom.[53]

At an averaged cost of $500,000 per residential unit, the above does not align with standard costs for similarly-sized *non-affordable* units. In fact, the cost of HODC's units breaks down to a valuation of an eye-popping:

- **$475 - $813** ***per square foot***.

These costs are extraordinarily high and are consistent with the development of luxury units with significantly more square footage and a higher level of amenities (such as lake views and access to indoor swimming pools and gyms).[54]

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51 *See* Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 8-9, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000 ($1,000,000 from the Affordable Housing Fund as a zero-interest, deferred loan; $1,500,000 in TIF funding for the housing as a grant (repayable if sold or not maintained as primarily affordable); $1,500,000 in TIF funding for commercial space as a grant (repayable if sold or not maintained as primarily affordable).

52 *See* Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 8-9, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000 (including funding from Illinois Housing Development Authority ("IHDA") for Low Income Housing ("LIHTC") Tax Credits; LIHTC equity; equity in donation tax credits; soft funds from the IHDA; and equity from the ComEd Energy Efficiency Program).

53 *See* Agenda, Land Use Commission, Feb. 8, 2023, at p.271-272, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87669/638110354239330000.

54 *See, e.g.* 807 Davis Street, Unit 1808, Evanston, IL 60201, *located at*: https://www.zillow.com/homedetails/807-Davis-St-UNIT-1808-Evanston-IL-60201/89965243_zpid/ (1-bedroom, 1-bath, 1050 square-foot unit on 18th floor of luxury development built in 2000, with views of the lake and City of Chicago, gourmet kitchen, bedroom suite with large balcony, 24-hour door attendant, elevator, included garage parking space, and exercise room, listed at $399,000); 800 Elgin Rd., Apt. 502, Evanston, IL 60201, *located at*: https://www.zillow.com/homedetails/800-Elgin-Rd-APT-502-Evanston-IL-60201/70455331_zpid/ (2-bedroom, 2-bath, 1075 square foot unit on 5th floor of luxury development built in 2004, with floor-to-ceiling windows, "massive outdoor terrace in the sky," private laundry, pool, doorperson, heated 1-car garage, and gym, listed at $375,000)

For example, a 43-unit building near Evanston's lakefront recently sold for $10.3 million[55] that consisted 21 1-bedroom units, 13 2-bedroom units, and 9 3-bedroom units. The average total cost was $240,000 per unit.[56] The 43-unit property is "in great condition and [has] access to the lakefront and all the public amenities Evanston has to offer…The exceptional location and the building's solid bones are the main reasons why the unit *commanded such a high price per unit.*"[57]

It does not follow that the HODC proposal (with the nearly the same number of unites, no green space, and farther from the lake), costs $22 million in total, $500,000 per unit, and $475 - $813 per square foot.[58]

To illustrate the high costs HODC argues are necessary, we put forth some of the apportioned costs provided by HODC relative to its Proposal:[59]

Cost Type	**Cost**	**Cost per Unit**
Architect: Design	$388,940	$8,840
Architect: Supervision	$162,058	$3,683
Market Study	$10,000	$227
Marketing	$20,000	$455
Initial Non-Marketing Rent Up Costs	$32,000	$727
Residential: New Construction	$16,043,782	$364,631
Reserves	$266,664	$6,061
Developer Fee	$1,961,921	$44,589

The $550,998 on architectural design and supervision stands out as considerable and excessive.[60]

Throughout its exposition as to the costs of the Proposal, HODC emphasizes the necessity of paying significant amounts of reserves up front, adding greatly to the overall project cost. Yet it appears that the reserves in this case total merely:

- **$266,664, or 1.2% of the total Proposal cost**.

55 *See* "43-Unit Building Near Lake Sells for $10.3M," Bill Smith, Nov. 14, 2022, *located at*: https://evanstonnow.com/43-unit-building-near-lake-sells-for-10-3m/.

56 *See* "43-Unit Building Near Lake Sells for $10.3M," Bill Smith, Nov. 14, 2022, *located at*: https://evanstonnow.com/43-unit-building-near-lake-sells-for-10-3m/.

57 *See* "43-Unit Building Near Lake Sells for $10.3M," Bill Smith, Nov. 14, 2022, *located at*: https://evanstonnow.com/43-unit-building-near-lake-sells-for-10-3m/ (emphasis added).

58 *See also supra*, at FN 50.

59 *See* Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 12-16, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000.

60 Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 12-16, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000.

Indeed, the bulk of the cost of the Proposal appears to be the almost $2,000,000 "Developer Fee" and the $16,043,782 cost for construction. With regard to the high construction costs, HODC appears to work repeatedly – and perhaps almost exclusively – with construction firm Skender Construction.[61] For ground-up construction, Skender Construction appears among those working within an elite category in Chicago and the surrounding areas, with costs commensurate with such project types.

For example, Skender Construction has, within the last few years, completed new construction builds in the Chicago Loop, Fulton Market, and other similar prime and luxury areas for companies at the top of their industry, including:

- 345 N. Morgan in the Fulton Market Area, for Sterling Bay Companies;[62]
- 609 W. Randolph in the West Loop neighborhood, for Vista Property Group;[63]
- Office Headquarters for the American Society of Anesthesiologists, Schaumburg, IL;[64]
- And Hyatt House Hotel, in the Fulton Market Neighborhood, for Sterling Bay Companies.[65]

It appears that HODC remains unconcerned about the exceptionally high per-unit cost for this Proposal – perhaps because HODC is not footing the bill for construction, the City of Evanston is. Because HODC has nothing of its own financially at stake, it has not worked to remove any of the "fat" from the Proposal where it could be removed. HODC is poised to profit considerably from this Proposed development. LUC should reject HODC's proposal.

4. <u>HODC's "developer fee," rental income, and ongoing management fees will be substantially greater because of the large number of units.</u>

The substantial Variations in height and setback – which directly result in HODC's ability to add significantly more units – is for the sole purpose of extracting additional income from the Proposal, in contravention of the fifth Standard for Approval. HODC stands to profit significantly, including:

- HODC will receive a Developer Fee of nearly $2,000,000;[66]
- HODC will receive, as a donation from the City of Evanston, land valued at – at least - $590,000;[67]

61 *See e.g.* HODC development "Cleland Place," in Wilmette, IL, new construction completed in 2021 by HODC and Skender Construction, *located at*: https://hodc.org/building/cleland/.
62 *See* 345 N. Morgan, https://www.skender.com/project/345-n-morgan/.
63 *See* 609 W. Randolph, https://www.skender.com/project/609-w-randolph/.
64 *See* https://www.skender.com/project/american-society-of-anesthesiologists/.
65 *See* 105 N. May Street, https://www.skender.com/project/hyatt-house-hotel/.
66 Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 15, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000.
67 Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 14, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000.

- HODC will retain ownership of the Proposed development and will manage the building, pulling in a per-unit management fee for at least the next 30 years, totaling at least $1,008,865;[68] and
- HODC will receive rental income for 44 dwelling units in perpetuity.

When asked to explain how the addition of significantly more dwelling units does not directly increase HODC's remuneration in significant part, Mr. Koenig stated:

> "Actually our fees are less, because our rents are less. Because we are charging half the market rate, we are getting half the amount of fees that for-profit or market-rate developers are able to get, we're not making additional money by having more units. Because rents are lower, we charge a standard management fee for managing our own properties and we are able to recoup that because we are the developer, and we get fees for that. But on the back end we are making less overall."[69]

Once again, HODC has not answered the question. Instead, HODC attempts to distract and compare its management fees to those of market-rate developers, which was not the question. Common sense dictates that if there are more units, HODC will make more money. To illustrate:[70]

- HODC charges a per-unit management fee that constitutes 6% of its Estimated Gross Income.[71] This amounts to an average of $565 per unit for each of 44 units, resulting in a $24,868 initial yearly management fee paid to HODC.[72]
- Were HODC to instead build a more measured development without Variation needs, to include, for example, 22 units, HODC would receive only $12,430 for its initial year of management.

We note further that the management costs increase yearly, resulting in a management fee of $44,163 after 30 years and $53,834 after 40 years. Extrapolated for a 30- and 40-year period relatively, HODC is poised to receive:

- $1,008,865.00 in total management fees after 30 years ($1,004 per unit); and
- $1,502,104.00 after 40 years ($1,223 per unit).

Increasing the building height from three to five stories to add dwelling units, and decreasing the setback on each of the building's four sides to add dwelling units, markedly increases HODC"s bottom line. Additionally, the "developer fees" are inevitably higher for a building with

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68 *See* Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 16, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000.

69 Richard Koenig, Oral Testimony taken from February 8th Hearing, at 3:13.04.

70 *See* Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 12-15, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000.

71 *See* Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 13, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000.

72 *See* Minutes, Housing & Community Development Committee Agenda, Jan. 17, 2023, p. 13, *located at*: https://www.cityofevanston.org/home/showpublisheddocument/87399/638092258832270000.

significantly more units. This is especially true when such fees will be assessed monthly and then multiplied over a period of thirty-plus years. The Variations are for the sole purpose of extracting additional income for HODC, and HODC accordingly fails to meet the Standards for Approval before the LUC.

E. The proposed development will not remove an empty lot because Mt. Pisgah does not have the necessary financing.

Please see our submission related to Mt. Pisgah.

II. Conclusion

As Commissioner Westerberg stated: "If you have to jump through so many hoops to get to this point where [this Proposal is] economically feasible…you're squeezing it all onto a site that may not be the most appropriate for it. When you look at the number of zoning variations… It's almost as if we have to throw out zoning to say that this is a project that passes muster."[73] Indeed, "there's also a part of the zoning that talks about complementing the neighborhood. That's hard to do when you take up that much land."[74] LUC would have to "throw out zoning to say that this is a project that passes muster."

We request, therefore, that the LUC 'Recommend for Denial' each of HODC's requested Major Variations to City Council.

73 Commissioner Westerberg, Oral Testimony taken from February 8th Hearing, at 2:58.
74 Commissioner Westerberg, Oral Testimony taken from February 8th Hearing, at 2:52.

EXHIBIT A

"Questions for Applicant"
Provided to HODC by Crosby Theodore LLC at
2/8/23 LUC Hearing

Questions for Applicant (1 of 5)

Concerns about Stormwater Management

1. What water and stormwater management studies have been performed?
2. Has the Metropolitan Water Reclamation District been consulted as to water and stormwater management?
3. When were the results of the Phase II environmental study provided to the public?
4. How is the complete coverage of the lot with impervious surface materials defensible?

Questions for Applicant (2 of 5)

Concerns about Historic Landmark

1. Please explain, with specificity, how HODC will prevent harm or damage to the historic landmark as a result of the variations?
2. Please explain, with specificity, how HODC will mitigate subsidence from the increased footprint at our historic landmark during construction?
3. What due diligence has HODC done to ensure that this development enhances our historic property?

Questions for Applicant (3 of 5)

Concerns about Height

1. Why is the land swap necessary?
2. Why was the height specified in the zoning code not sufficient?
3. What other alternatives have you considered relating to the size of the units?



Source: Mt. Pisgah Website
www.mtpisgahministry.org
(accessed 2/8/23 at 5:38 PM)

Questions for Applicant (4 of 5)

Concerns about Financial Disclosures

1. The proposal's cost is approximately $22 million, which puts the per unit construction cost at half a million. When alternatives have been discounted based on financial infeasibility, how is this per unit cost financially defensible?
2. Where will Mt. Pisgah receive its funding?
3. How far are the funds gathered for this project going to carry it? Will HODC be solely assuming responsibility for construction overages and the cost of managing the property?
4. Will HODC receive higher overall management fees as a direct result of building outside the existing zoning code.

Questions for Applicant (5 of 5)

Concerns about Density

1. What date and time was the parking study completed?
2. Who are the committed or prospective commercial tenants for ground-floor retail?
3. What alternatives to the loading zone have been considered?
4. What is HODC's tenant turnover rate at similarly situated properties?
5. How will HODC ensure safety of the loading zone given existing congestion in this area?

EXHIBIT B

New HODC Packet
Dated February 13, 2023

HOUSING OPPORTUNITY DEVELOPMENT CORPORATION

5340 Lincoln Avenue ♦ Skokie, Illinois 60077
(847) 564-2900 ♦ (847) 564-2992 fax ♦ hodc@hodc.org ♦ www.hodc.org

February 13, 2023

Michael Griffith, Planner
Planning & Zoning Division
Community Development Department
City of Evanston
2100 Ridge Ave.
Evanston, IL 60201

Re: 1811-1815 Church Street
Land Use Commission Update

Dear Michael:

Please see attached the updated plans for the 1811-1815 building. We made the following changes in response to suggestions and requests from the Land Use Commission and neighbors:
-Created a 30 inch rear set-back on the north side to widen alley access
-Removed planters from the streetscape to improve flow
-Created a 1 inch offset from the neighboring building to the west as requested
-Updated the west elevation to show brick wrapped around the west side
-Updated unit sizes and layouts based on the new dimensions

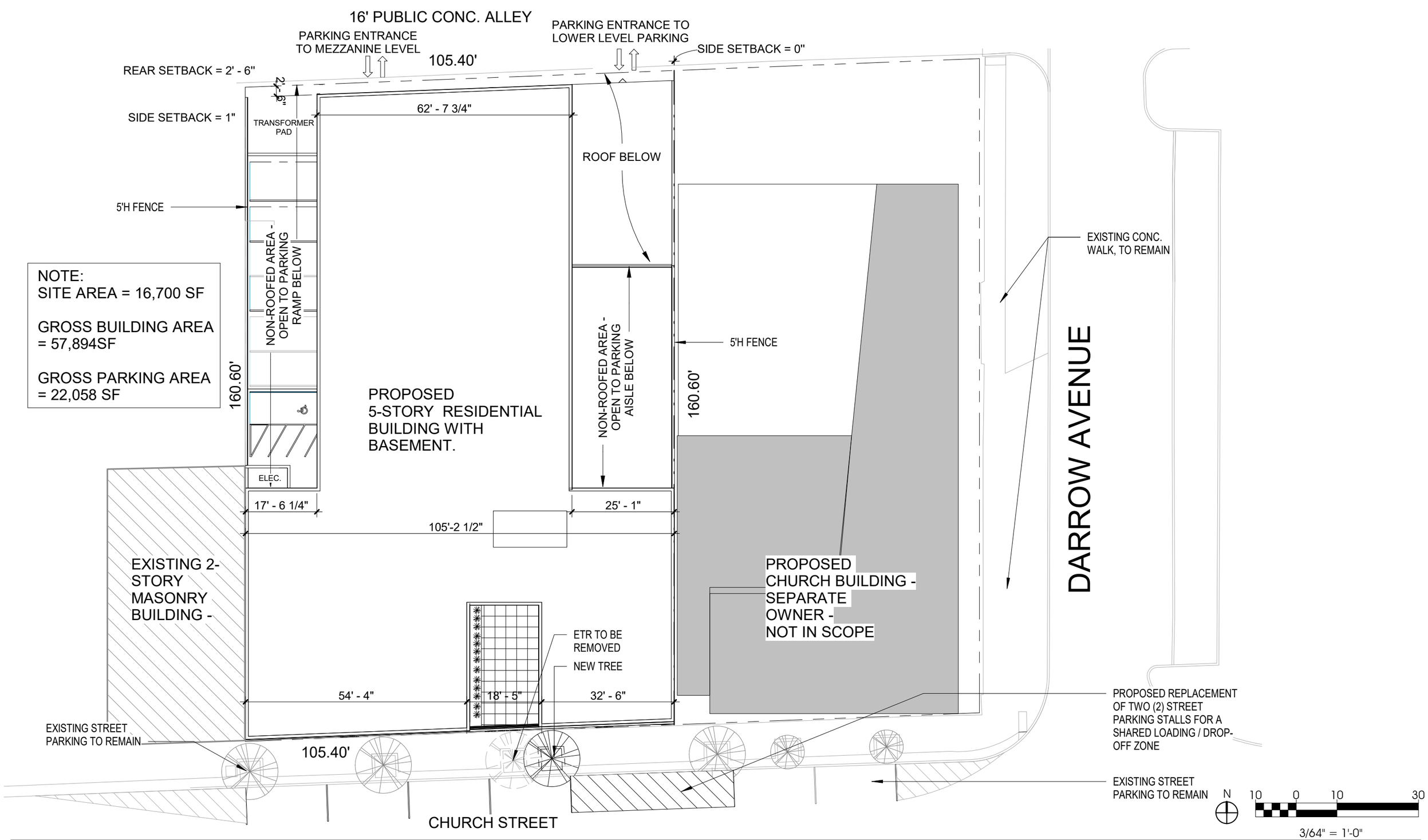
Please contact me if there are any questions or any additional information needed.

Sincerely,



Richard Koenig
Executive Director

EQUAL HOUSING OPPORTUNITY



Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

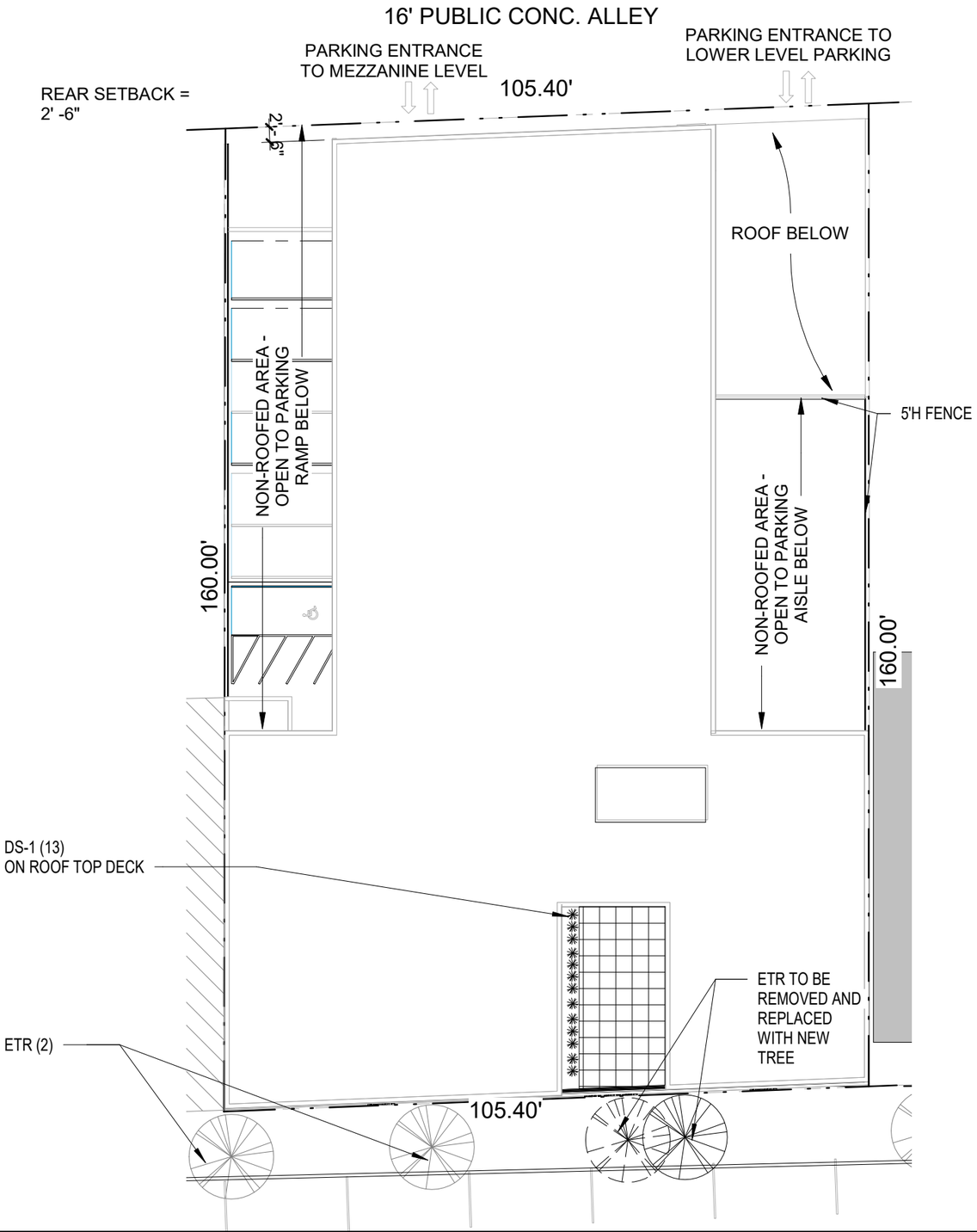
1823 W AURORA ST

SITE PLAN

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

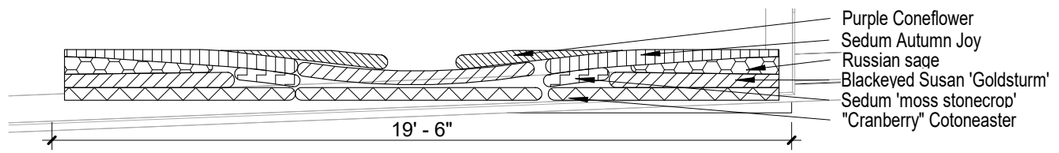
A1-0

02.10.2023



LANDSCAPE DATA TABLE: PLANT LIST

	QTY		SYM	BOTANICAL NAME	COMMON NAME	SIZE	
EXISTING PARKWAY TREES	2		ETR	VARIES	VARIES	EXISTING TO REMAIN	
NEW PARKWAY TREES	1			TBD	TBD		
TOTAL	**3**						
DECIDUOUS SHRUBS	4		DS-1	HYDRANGEACEAE HYDRANGEA QUECIFOLIA	OAKLEAF HYDRANGEA	3' BB	
	4			H. HYDRANGEA ARBORESCENS	ANNABEL HYDRANGEA	3' BB	
	5			CORNACEAE CORNUS SERICEA	YELLOW TWIG DOGWOOD	3' BB	
	12			"CRANBERRY" COTONEASTER	COTONEASTER APICULATUS	3' BB	
TOTAL	**25**						
PERENNIALS	**24**			PURPLE CONEFLOWER	ECHINACEA PURPURA	6" POT	
	20			SEDUM 'MOSS STONECROP'	SEDUM ACRE	6" POT	
	40			SEDUM AUTUMN JOY	HYLOTELEPHIUM 'HERBSTFREUDE'	6" POT	
	20			RUSSIAN SAGE	PEROVSKIA ATRIPLIICIFOLIA	6" POT	
	24			BLACKEYED SUSAN 'GOLDSTURM'	RUDBECKIA FULGIDA "GOLDSTURM"	6" POT	
TOTAL	**128**						



TYPICAL ENLARGED PLANTER LANDSCAPE

N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

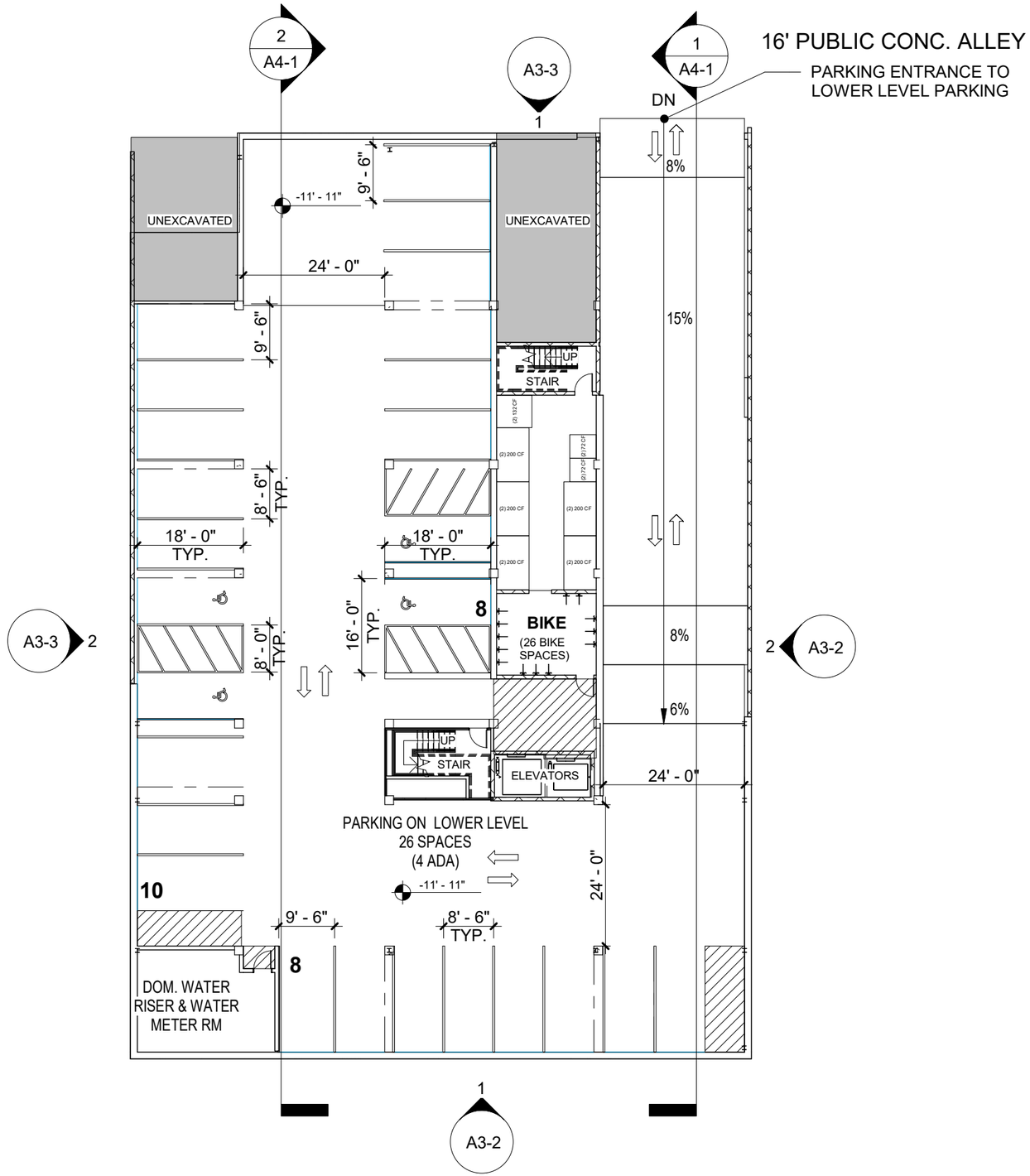
1823 W AURORA ST

LANDSCAPE PLAN

CORDOGAN CLARK
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A1-1

02.10.2023



N

10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

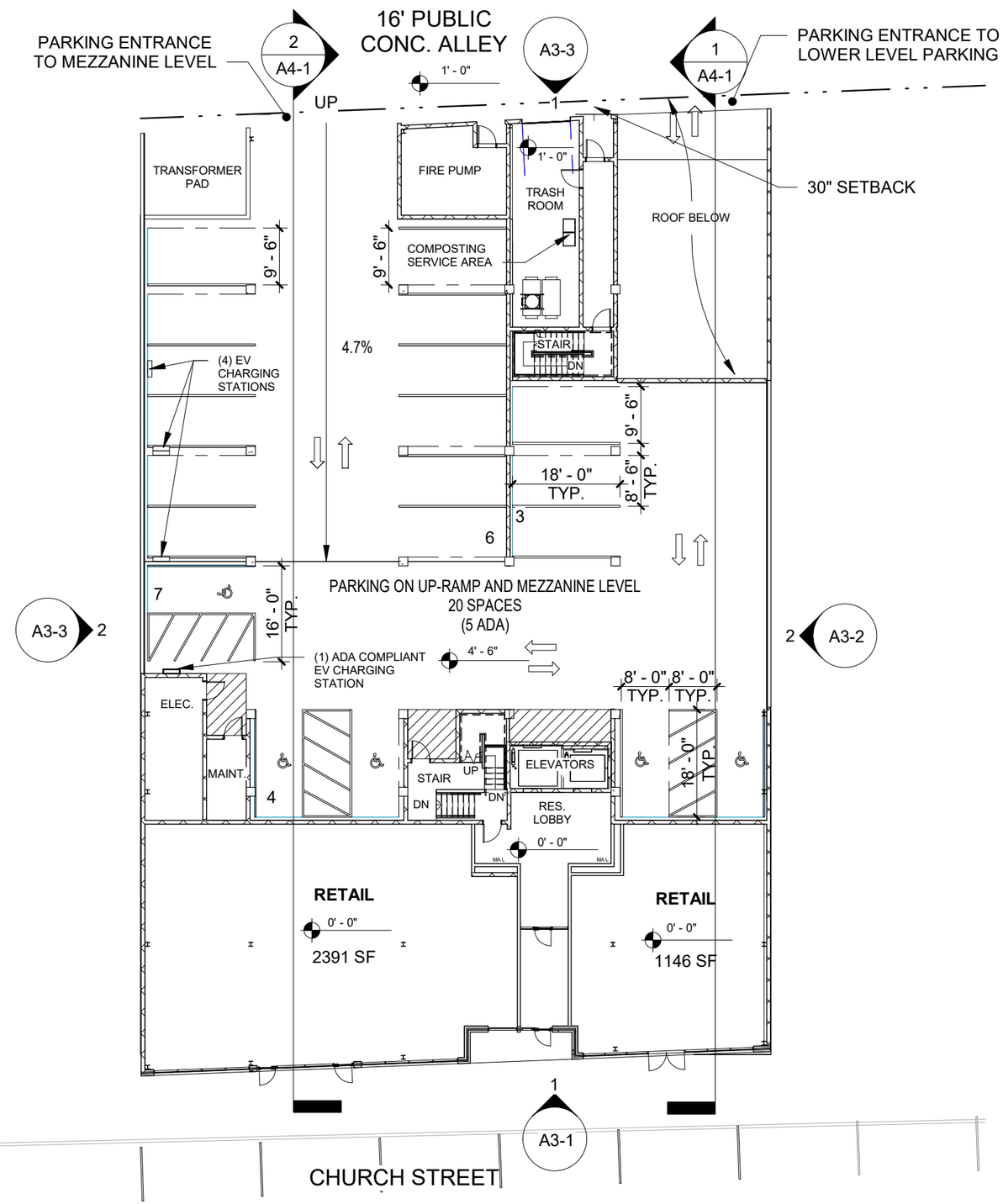
1823 W AURORA ST

LOWER LEVEL PLAN (PARKING)

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A2-0

02.10.2023



N

10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

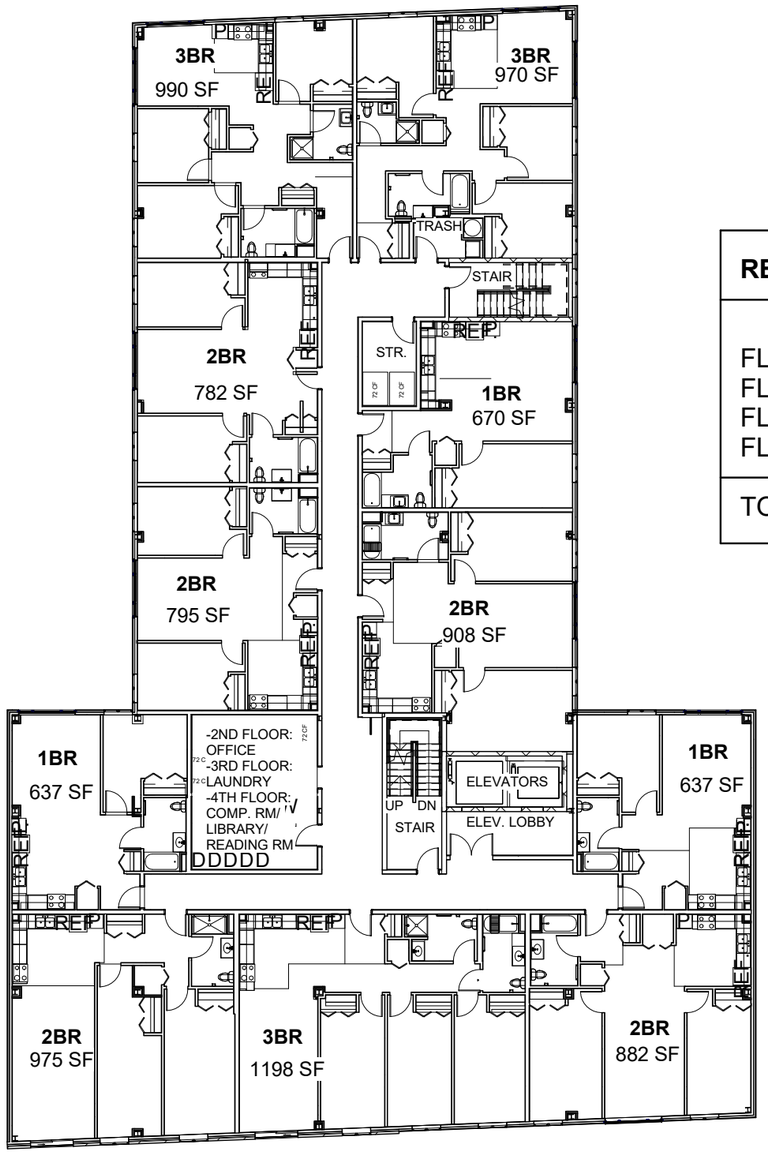
1823 W AURORA ST

1ST FLOOR PLAN (RETAIL AND PARKING)

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A2-1

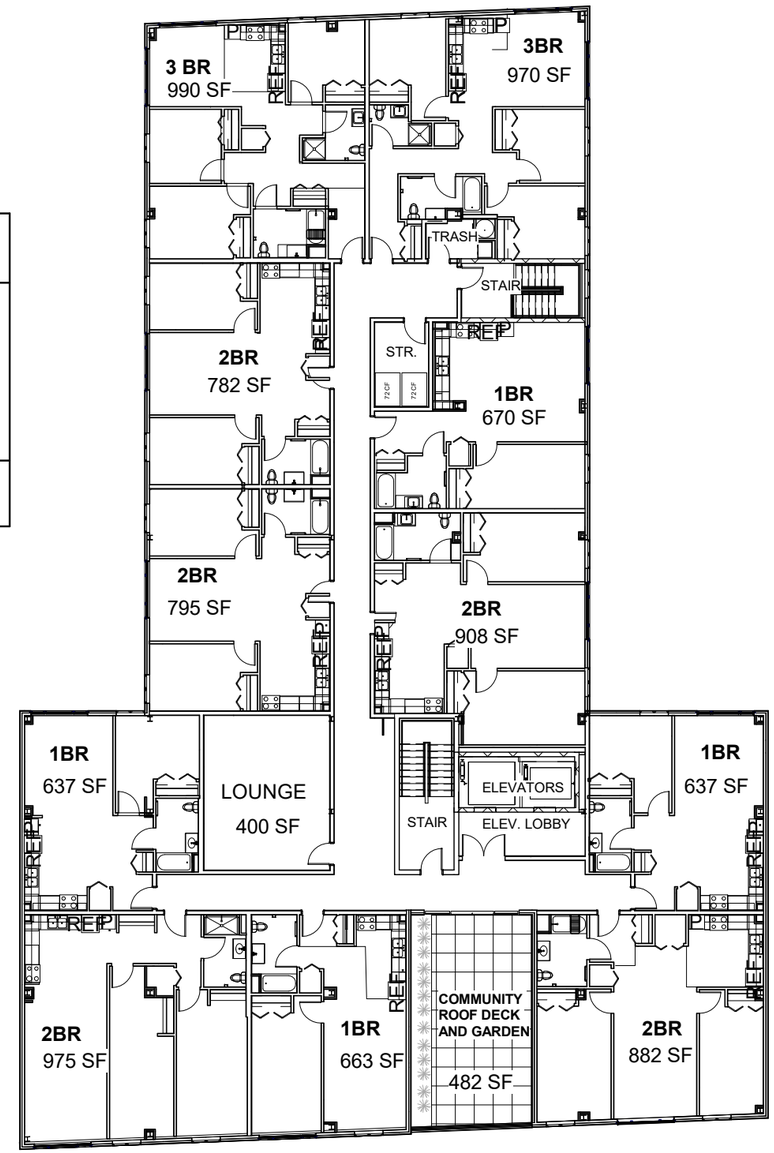
02.10.2023



TYPICAL FLOOR PLAN (FLOORS 2-4)

RESIDENTIAL UNIT COUNT

	1BRS	2BRS	3BRS	TOTAL
FLOOR 2	3	5	3	11
FLOOR 3	3	5	3	11
FLOOR 4	3	5	3	11
FLOOR 5	4	5	2	11
TOTAL	13	20	11	44



5TH FLOOR PLAN

N

10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

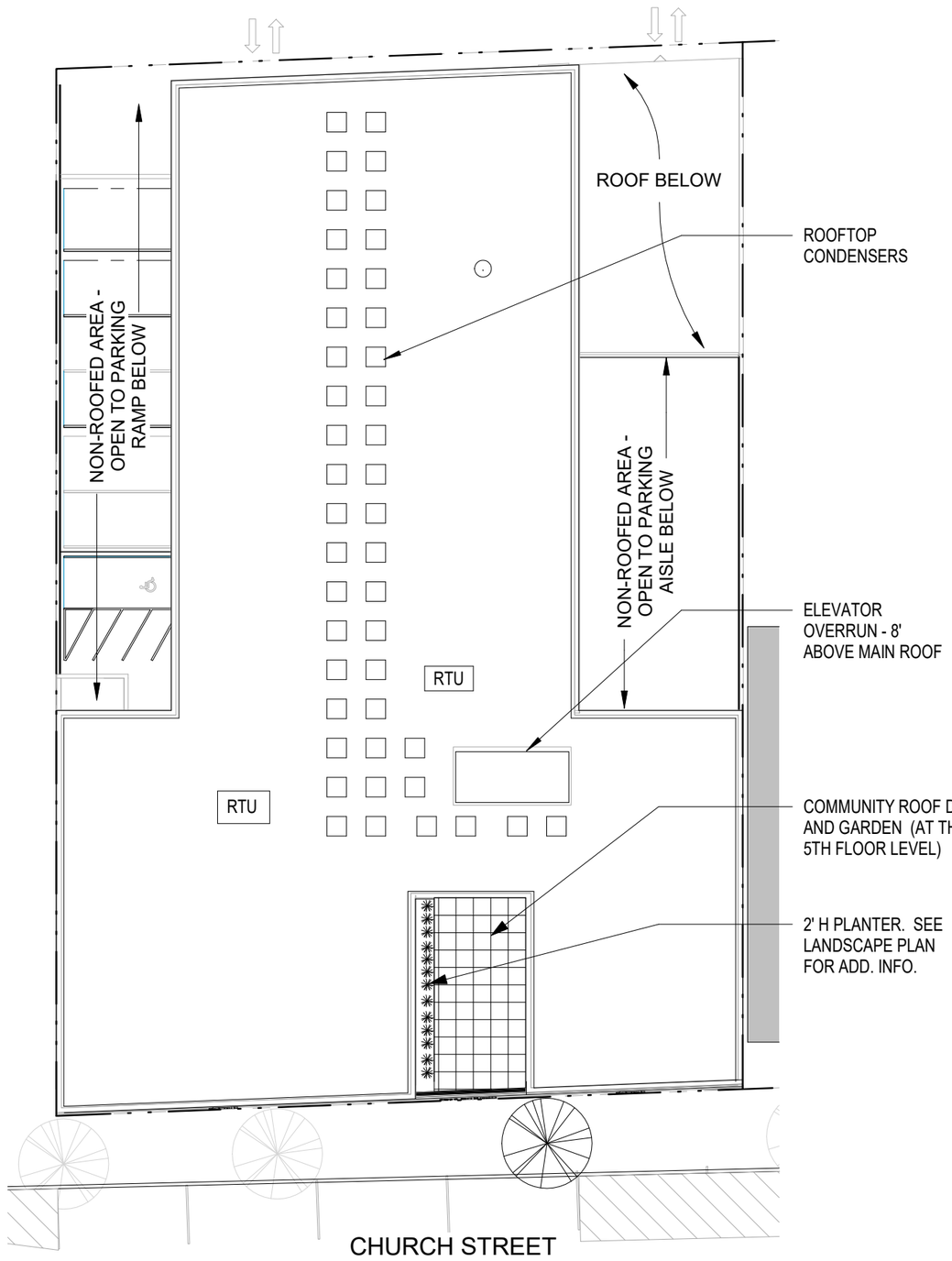
1823 W AURORA ST

TYP RESIDENTIAL FLOOR PLAN (FLRS 2-5)

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A2-3

02.10.2023



N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

1823 W AURORA ST

ROOF PLAN

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A2-4

02.10.2023



Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

1823 W AURORA ST

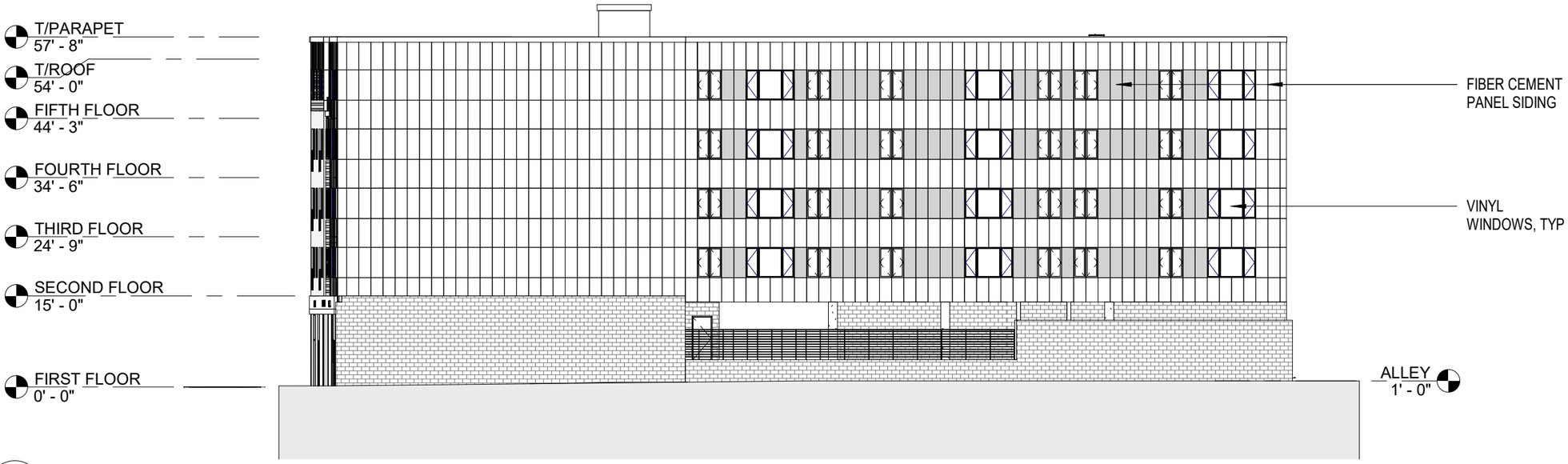
BUILDING ELEVATION

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A3-1
02.10.2023



1 SOUTH ELEVATION
1" = 20'-0"



2 EAST ELEVATION
1" = 20'-0"

20 0 10 20 40
1"=20'-0"

Housing Opportunity Development Corporation

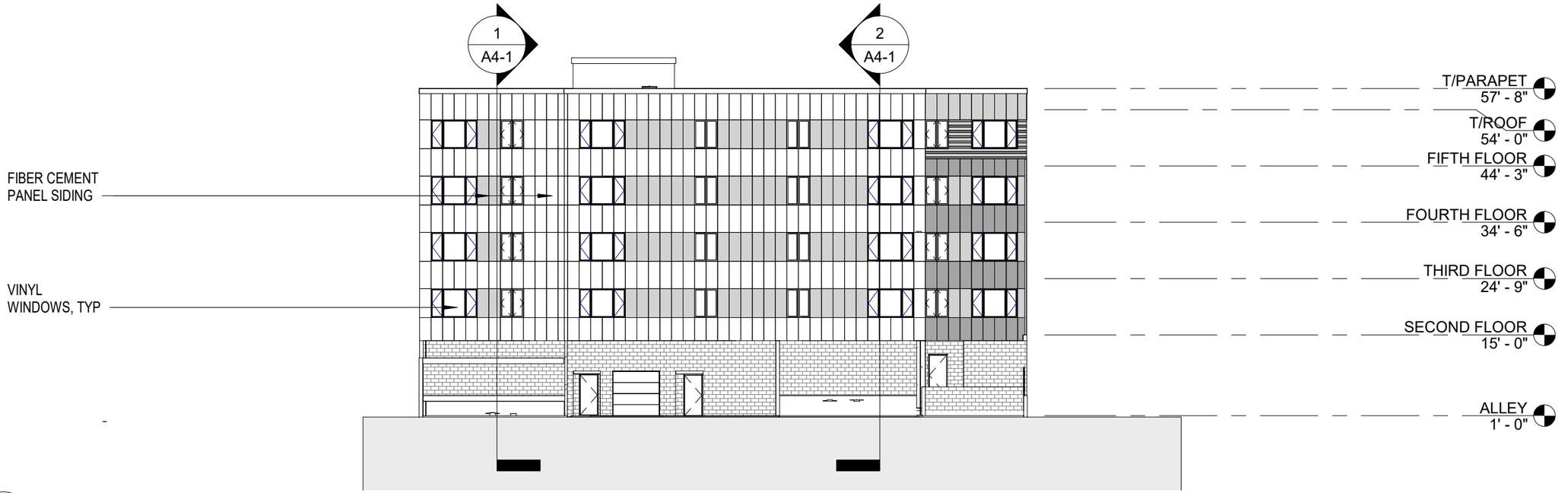
1811 CHURCH STREET APARTMENT

1823 W AURORA ST

BUILDING ELEVATIONS SOUTH AND EAST

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A3-2
02.10.2023



1 NORTH ELEVATION
1" = 20'-0"



2 WEST ELEVATION
1" = 20'-0"

20 0 10 20 40
1"=20'-0"

Housing Opportunity Development Corporation

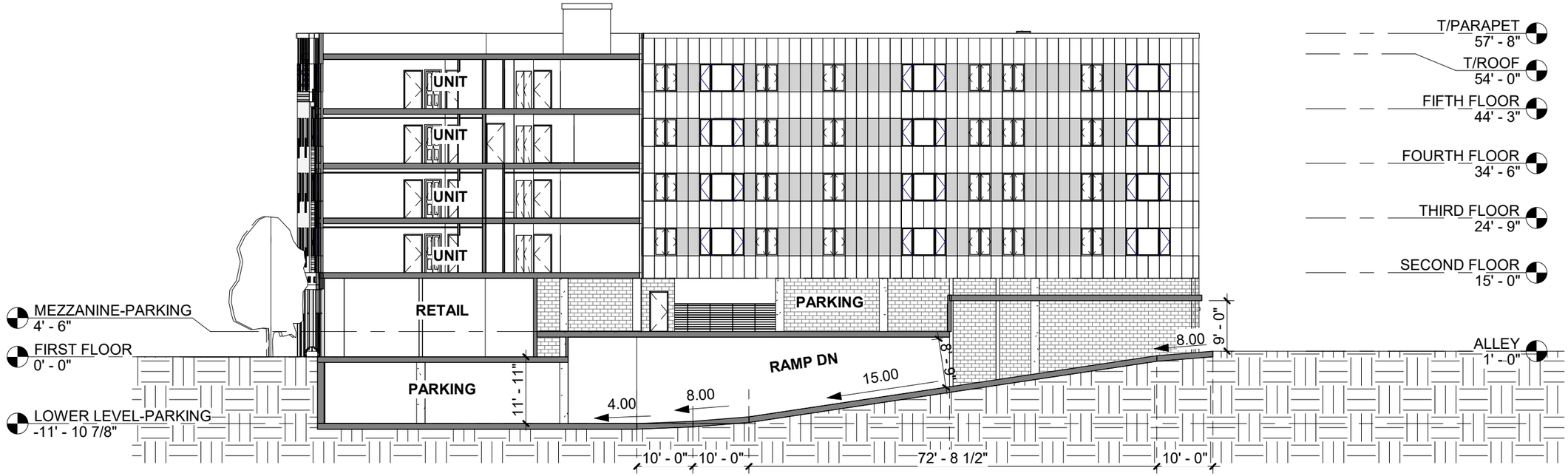
1811 CHURCH STREET APARTMENT

1823 W AURORA ST

BUILDING ELEVATIONS NORTH AND WEST

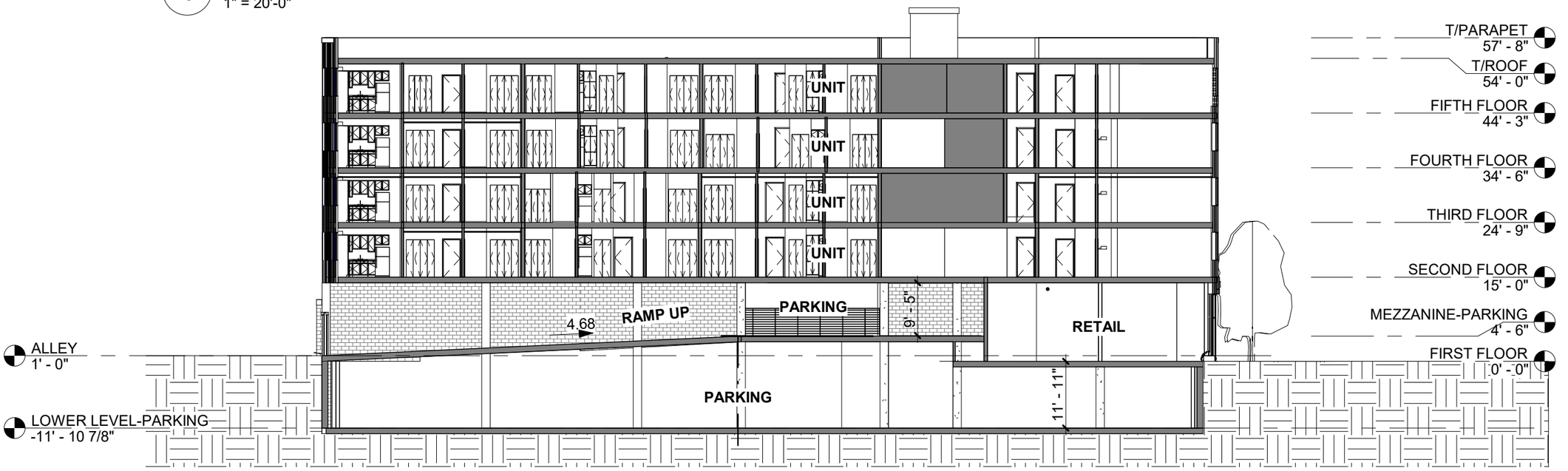
CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A3-3
02.10.2023



1 BUILDING SECTION 1

1" = 20'-0"



2 BUILDING SECTION 2

1" = 20'-0"

N 10 0 10 30

3/64" = 1'-0"

Housing Opportunity Development Corporation

1811 CHURCH STREET APARTMENT

1823 W AURORA ST

BUILDING SECTION

CORDOGAN CLARK
ARCHITECTURE • ENGINEERING • CONSTRUCTION

A4-1

02.10.2023

EXHIBIT C

Minutes of May 22, 2006
Planning and Development Committee

[*Attached to email transmission of this document to the Land Use Commission*]

EXHIBIT D

"Major Variations and Standards for Approval"

In order to build its planned development as desired, HODC has requested seven major variations ("Major Variations" or "Variations"), for which it must meet each of seven required Standards of Approval. Unless the Land Use Commission makes a finding of fact wherein (a) *each* of the seven Major Variations (b) meets *each* of the seven Standards for Approval, the LUC *must* "Recommend for Denial" each particular Major Variation request to City Council.

The requested Major Variations by HODC are:

(1) Increase the maximum permitted building height from 3 stories and 47' to 5 stories and 57.7';
(2) Reduce the required front yard build to zone from 5'-10' to 0';
(3) Reduce the required west interior side yard setback from 5' to 1" and reduce the required east interior side yard setback from 5' to 0';
(4) Reduce the required rear yard setback from 5' to 30";
(5) Increase the maximum permitted impervious surface coverage from 90% + 5% semi-pervious surface area to 99.7% of lot area;
(6) Eliminate the required loading berth; and
(7) Eliminate the required 8' ziggurat setback at the 3rd story.

Thus for each of the above requests, to recommend or approve the proposal, the LUC must find that each of the individual seven Standards below have been met by HODC. For each such Standard for Approval, in other words, HODC has the burden of demonstrating that it has met each.

(1) the requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties;
(2) the requested variation is in keeping with the intent of the zoning ordinance;
(3) the alleged hardship or practical difficulty is peculiar to the property;
(4) the property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out;
(5) (a) the purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or (b) while the grant of a variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on the final jurisdiction under Section 6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of

the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 – Public Benefits;

(6) the alleged difficulty or hardship has not been created by any person having an interest in the property; and

(7) the requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation.[1]

HODC has not done so, and LUC should reject its proposal.

[1] Municipal Code Section 6-3-8-12(E).

DRAFT

Planning & Development Committee
Minutes of May 22, 2006
Council Chambers – 6:30 p.m.
Evanston Civic Center

Alderman Present: S. Bernstein, A. Hansen, D. Holmes, L. Jean-Baptiste, E. Moran, A. Rainey, E. Tisdahl, C. Wollin, M. Wynne

Staff Present: J. Wolinski, J. Carroll, J. Burke, K. Cox, N. Ney, D. Spicuzza, E. Szymanski, J. Brownlee

Presiding Official: Alderman Rainey

DECLARATION OF QUORUM

Chair Rainey called the meeting to order at 7:00 p.m.

APPROVAL OF THE MEETING MINUTES OF MARCH 27, 2006 AND SPEICAL MEETING OF APRIL 4, 2006

Both sets of meeting minutes were unanimously approved 8-0.

ITEMS FOR CONSIDERATION

(P2) Planned Development for 1708-10 Darrow Avenue/1805 Church Street
Consideration of a recommendation from the Plan Commission to deny a planned development for Housing Opportunity Development Corporation. The Planned Development includes a 4-story multi-family residential building with 27 affordable housing units and 30 off-street parking spaces. The Committee began discussion of this item at the March 27, 2006 meeting and was held. This item was held at the special meeting on April 4, 2006. On April 11, 2006, this item was held again to be brought back by a P&D Subcommittee at the May 22, 2006 meeting. A report from the Subcommittee will be transmitted on Monday, May 22, 2006.

THIS ITEM WAS TRANSCRIBED BY COURT REPORTER DENISE ANDRAS, IN ACCORDANCE WITH THE KLAEREN RULES. PLEASE REFER TO THE ATTACHED TRANSCRIPT.

The final vote was 5 voting aye (Wynne, Hansen, Tisdahl, Bernstein, Rainey) and 4 voting nay (Holmes, Jean-Baptiste, Wollin, Moran).

ADJOURNMENT

With no further business, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Jacqueline E. Brownlee

CITY OF EVANSTON

PLANNING & DEVELOPMENT COMMITTEE

CASE NO.: P2

RE: PLANNED DEVELOPMENT FOR 1708-1710 DARROW AVENUE/ 1805 CHURCH STREET. Consideration of a recommendation from the Plan Commission to deny a planned development for Housing Opportunity Development Corporation.

Transcribed Report of Proceedings of a public hearing on the above captioned matter, held May 22, 2006 at the Village Hall of Evanston, 2100 Ridge Avenue, 2nd Floor, Evanston, Illinois, at 6:43 p.m. and presided over by M. Wynne, Chair.

PRESENT:

M. WYNNE, Chair	L. JEAN-BAPTISTE
S. BERNSTEIN	A. RAINEY
E. TISDAHL	D. HOLMES
E. MORAN	A. HANSEN
C. WOLLIN	J. WOLINSKI

STAFF:

J. BROWNLEE

E. SZYMANSKI

CHAIRMAN WYNNE: Welcome everyone to Monday, May 22nd meeting of Planning and Development Committee. We have one item on our Agenda for consideration tonight. It's the Planned Unit Development at Darrow and Church. Since we have just this single item, I'd like to lay out what the plan is for this evening.

We have a Sub-Committee that's been working on this as many of you or all of you know, for a number of meetings. A Sub-Committee report has been prepared, everyone should have a copy of that. Do we have copies out? Yes, copies are out there, it's a short summary. What I'd like to do first is have the members of the Sub-Committee present their report, we've all read it, if you could summarize it, then we are going to give both the opponents and the proponents approximately 15 minutes to provide summation.

If you anticipate presenting any new evidence, we'll have to swear you in which is not a difficulty at all, we have a court reporter here and what we'll do is first hear from the opponents and then hear from the proponents for approximately 15 minutes. That's, that'll be the limit. Then we'll bring it back up here for the Committee discussion. So, first on the order of

battle here is going to be the Sub-Committee report. Is there, Alderman Holmes, were you the Chair of the Sub-Committee was there an Official Chair?

ALDERMAN HOLMES: Yes, I was the Official Chair.

CHAIRMAN WYNNE: Would you like to present the report to us please? And if anyone else would like to comment, that would be useful.

ALDERMAN HOLMES: We'll the, as outlined in the report, we had a total of six, I believe, meetings and presented a lot of ideas and suggestions, we had a lot of debate back and forth about the project. All of that of course, I hope all of the Aldermen received that in their minutes.

I tried to keep the conversation between the Sub-Committee members, except that we did allow Aldermen to have some input and as the report points out that we ended up with the number of units, ownership versus rental, parking and ground floor usage and probably the redesign of the project as being the topics that we chose to report on it.

This is a, Mr. Wolinski was very helpful in terms of keeping very good notes, that we could pull

together a report and this is, this is it. I don't think I need to read it. It's pretty clear that we, I guess the conclusion was that even though we worked really, really hard, that we just couldn't come back with a recommendation that both sides could agree on.

CHAIRMAN WYNNE: Okay, would any other member of the Sub-Committee like to add anything? Alderman Tisdahl.

ALDERMAN TISDAHL: I'd just like --

CHAIRMAN WYNNE: I'd just wanted to say, the court reporter has asked that we all make sure our microphones are on and that we speak clearly into them.

ALDERMAN TISDAHL: I think this is one time when I did remember to turn it on, but thank you. No, I just wanted to agree with Alderman Holmes' synopsis and say that everyone did, did work very hard, but it is difficult for the project to change, because of the demands of the funding.

CHAIRMAN WYNNE: All right. Thank you. All right, oh, Alderman Jean-Baptiste? I don't, are these lights? I'm sorry, the lights were not turned on. Can you press the red? All right, Alderman Jean-Baptiste? We'll figure this technical thing out.

ALDERMAN JEAN-BAPTISTE: I did miss the last two meeting, I missed the summary meeting and the meeting before that, but I was at most of the other meetings and the issues, you know, when we addressed, for example, parking. Although the structure itself, the Developer was not able to exercise the kind of flexibility to absorb more of the parking inside the building.

However, a representative from our parking, Public Works, Jean Barkum and I believe John Burke, came, and they had done a study of the available parking in the community, and they were able to find an additional 30 or more spaces and we are talking about some within the same block, some across the street with small modification of allowing parking on both sides of the street, or allowing parking in places where parking was restricted previously.

So I personally felt that the parking issue, we allowed for some flexibility. And the year before, we added 15, or we added maybe 10 additional parking places right in front of Strange, the new Strange building when we supported the installation of diagonal parking. And for the most part the analysis was that

the main pressure came on, during the weekend because there are about four churches there. So for parking, you know, I think there was a proposed resolution.

On-Site Management was an important issue as well, and the neighbors wanted to make sure that, you know, that there was some oversight of the place and the tenants there and that the building was maintained over a long period of time, that it didn't become a blight on the community and the Developer indicated that it would hire an additional person on-staff to do management and would commit up to about 20 hours a week to provide for management and that they would hire a resident to also do some minor upkeep of the building.

Additionally, ECDC, as an organization is supposed to have an office there and part of the agreement is that it would maintain a presence there as well. So, I thought that that issues was addressed, not to the maximum possible outcome, but it was addressed. There was a lot of discussion about the library, the potential on-site library there, branch library and I don't know what ended up happening in the end, but that was something to be resolved and I thought it would come before us, but I don't see it in the report

specifically.

ALDERMAN HOLMES: May I address that?

CHAIRMAN WYNNE: Yes, go ahead Alderman Holmes.

ALDERMAN HOLMES: Alderman Jean-Baptiste, two things I follow up on the library, but first on the parking, at our meeting on the 19th, the Developer with some readjustments within the building, could come up with five additional parking spaces on-site. Meaning that there would be 35 rather than 30.

So that means that would be seven then short. The other, in terms of the library? At the Tuesday meeting, the community, if we couldn't have a full branch library, then they would rather not have the library. But would want to negotiate with, I hope I'm stating it correctly, but I know Mr. Sutton is here so he could address that. But were willing to negotiate with HODC and ECDC as to what would be, actually what would go into that space at a later date.

ALDERMAN JEAN-BAPTISTE: Okay.

ALDERMAN HOLMES: Is that correct?

ALDERMAN JEAN-BAPTISTE: And then I know that there was some issues as to ownership as stakeholders versus renters as not being stakeholders. So there were

a lot of discussions about perhaps the rental with option to buy and trying to manage the different perception into the mind of those who would be coming into the building and hopefully in the community's mind as well.

So, I see here that in the report there were discussions, I don't know whether anything was adopted in fact, but issues such as a tenant organization. So that people would have greater camaraderie, be able to discuss the condition of the building and be able to make suggestion and sort of police each other in the process.

So, you know, and of course the ground floor usage, I think the On-Site Management, the ECDC presence and others contributed to that. There was an issue that Alderman Hansen had which was that the gate and the fence in the rear, the wooden fence that was proposed promoted a perception of, well, of not such a good quality for the community.

And I think the Developer had stated that he would commit to putting wrought iron fence that may be on the middle, so that it's still open to the street, to the community, but provides some type of security as

well. So these are some of the things that I recall that we talked about and hammered out.

CHAIRMAN WYNNE: All right, thank you. I wanted to let the Committee Members know that for some reason the light board is not working. So if you would like to speak could you raise your hand so I could see you a little bit. I don't know why that is. The white button? Yes, we turned on the white button Mayor.

MAYOR: Does that do it?

CHAIRMAN WYNNE: No, it doesn't. If everyone could just bear with us, this will make things. Here comes Max. If everyone could just bear with us for a minute. All right. Not just a Mayor, but a tech person! Okay. Now I'd like. Any? Now I don't know which of you had your lights on. Would any of you like to make a comment further? Okay. All right. Why don't we hear from the opponents first. Mr. Sutton, do you expect to present any new information?

MR. SUTTON: No.

CHAIRMAN WYNNE: Okay, all right. Thank you.

MR. SUTTON: Due to the shortage of time, excuse me, I'm going to make the, I've summarized all of the concerns of the people in my group and I'll be the

only one making a presentation.

CHAIRMAN WYNNE: Okay, can you introduce yourself?

MR. SUTTON: Yes, I will. Carlis Sutton, President of the Community Alliance Organization. To Alderman Melissa Wynne, Chairman, Planning and Development Committee, the summary of the Task Force Committee from the perspective of the Community Alliance. The objections to the planned development, Darrow Corners, of are two types.

One, harm to the surrounding neighborhood, and two, possible harm to the occupants. Virtually all the discussion that I've heard this evening and before the Task Force, has been about the occupants of the building and how to improve things for them. But the Developer expressed little or no interest in addressing the harm to the neighborhood, and did not agree to any corrections to reduce this harm.

While the neighbors are as concerned as anyone about how low income tenants would be treated in an affordable housing facility, many of us fall into that category themselves or have for decades been providing such houses, housing as landlords, to their tenants. We

would like to see every possible improvement made for their well being.

It is striking that the Developer still proceeded as if that was the only concern which deserved his attention and continued to ignore all the deficiencies regarding the impact on the neighborhood, which the Plan Commission found would result. And many of the Aldermen stated their agreement with the Commission. Why are the legitimate concerns and needs of this neighborhood so easily disregarded?

The Zoning Ordinance and Adopted Plans makes protection of residential neighborhoods the top priority. We, as stakeholders, are mandated that any development conform to the Standards and the Tests. Is there something about my particular neighborhood that makes it ineligible for these protections? What excludes us?

We have a sterling opportunity this evening to observe where the intent of the law and the concerns of the neighbors are in agreement. Don't facilitate a political decision to move this development on without visualizing the harm that this message will send out. The citizens concerns don't count. Zoning laws are not

important. City plans and citizen participation are irrelevant.

And when it comes to decisions, who should prevail? Citizens, laws and city plans, or Developers? It is the position of the Community Alliance to give Mr. Koenig of HODC an additional opportunity to respond in good faith to our concerns. If Mr. Koenig is interested in making any substantial changes to his planned development regarding his financing, the density of Darrow Corners, or addressing our concerns about parking and set-backs, we are prepared to discuss and assist him in implementing these plans.

However, if he continues to present his development in the current form, we have reached an impasse. We continue to refer to other major projects which were approved by the Plan Commission and the Developer still made major alterations in accordance with the neighbors and the Planning and Development Committee. Mr. Koenig, by contrast, has been unwilling to make any significant improvements despite unanimous findings of fact requiring disapproval by the Plan Commission.

The only major change for the neighbors, from

the Task Force meeting has been the revelation that affordable home ownership is not guaranteed in 15 years or at any time for this development. It is only a contingency. This proposal is not realistic, practical or enforceable. We have reduced our many concerns to the following corrections which are the minimum which should be made to bring this plan into compliance.

One, some immediate home ownership. At least 1/3 of the units, or create a Limited Equity Co-Op to provide immediate home ownership. Two, provide the required amount of parking. Three, reduce the size of the building so it does not dominate the residential neighborhood. Four, more ground level type space for active, commercial use. Community Alliance position regarding Darrow Corners.

The community surrounding Church and Darrow will welcome additional affordable housing projects that fit within the scale and character of the neighborhood. The Darrow Corner's proposal does not meet this criteria. The following summary explains the central issues of this project from the Community Alliance point of view. The Community Alliance represents residents in the area surrounding the proposed planned development

called Darrow Corners at Church Street.

We live on Darrow Avenue, Dodge, Church Street, Lions and Emerson. The Community Alliance is a residential neighborhood made up primarily of single family homes, with some two flats, four flats and several town homes. Our area includes three single family houses built for affordable housing and we welcome more affordable housing projects that are in the same character and scale as our neighborhood.

In contrast, the proposed project for Darrow and Church is a four story, residential building with 27 apartments. The residents and landowners in this area value the essential character of our neighborhood and one of our highest priorities is to preserve this character as we work to revitalize it. It represents the quality of life that brought us to this area and that we desire to maintain.

We oppose the planned development for Church and Darrow. One, because it is contrary to our vision for the area we call our home. Two, because it will have a negative impact on our neighborhood. And three, because there are viable alternatives both for commercial development and at that target site and for

smaller scale affordable housing projects in our neighborhood. First, this project is designed as a residential building in a location intended to support business. This part of Church Street, with business neighbors near Dodge Avenue, is not suitable for raising young children.

As a major route in and out of Evanston, there is a steady stream of cars, man transit busses, very large trucks entering and leaving Onyx, and a regular flow of high school students to and from ETHS. There is no room for open space in the proposed development. We have long hoped for a project to develop the empty lot at the corner of Church and Darrow. Our vision for that corner has been a building with street level spaces designed for pedestrian oriented public use, commercial or non-profit.

The proposed project is not the only economic development possibility for the empty lot at Church and Darrow. Second, a large multi-unit, multi-floor, residential building is out of character with our neighborhood. The additional population density will bring traffic and parking to levels not associated with any other predominantly single family neighborhood.

Our vision for the streets on which we live does not include making it more difficult to park in proximity to our homes and destination. Third, the sheer size of the building, regardless of it's use is way out of scale with anything in our community. Neighborhood context is the appropriate criterion for design, not maximum dimensions allowable by zoning. A project of this size opens the door to other developers to plan more large scale buildings.

Fourth, to bring this large residential structure, the plan calls for tearing down 2, two flats. Tearing down smaller structures to erect larger structures is the exact opposite of our intentions and the vision of our neighborhood. Fifth, this neighborhood has many rental units with relatively low rent and many of these units have been vacant for some time.

Even though the project targets a very low income population, the projected 15 years of rental units will add competition with this already struggling low and moderate income local rental rate. The fundamental problem with this proposal is location. It is a noble attempt to develop a long vacant business lot

and provide affordable housing. A project was developed that does not fit the site in the context with the surrounding business and residential community.

However, as designed, this project is well suited for a residential area where existing residential buildings of a similar size already exist. The unfortunate result is that two important community values, and members of the community support both of these values, have been placed unnecessarily into a high-stake, win-lose conflict. The tragic fallacy of this disagreement is the notion that neighborhood values have to be compromised to achieve affordable housing goals. They do not!

Affordable housing and neighborhood preservation can be achieved compatibly and harmoniously by planning affordable housing projects that fit the particular character of Evanston's diverse neighborhoods. We, who embrace these values on both sides of this issue, should not have been forced into this avoidable and disheartening dilemma.

City Council is faced with a difficult decision and there is an understandable great reluctance by Aldermen to oppose this project. The City has not

made significant progress on affordable housing and there is a great desire to show some forward movement. ECDC and others actively participating in this goal, have invested a lot of time and hopes on this project. HODC has invested a considerable amount of their organizational resources in developing this plan.

Opposition to this project by the Council may be mis-construed as a lack of support for affordable housing efforts and there is pressure to quickly initiate development activities in the new TIF District. Despite these great pressures, City Council should not accept this plan without major changes to conform to the character and needs of our area.

The intention of this neighborhood, to preserve its character, should not be sacrificed to achieve another community goal no matter how invested the project is. Especially where there are compatible alternatives. We're being asked, under the banner of affordable housing, to sacrifice our long-term best interests to benefit the short-term interests of an other invested party's.

To do so is unfair to this neighborhood and therefore, unacceptable. This decision will make a

statement about how City Council views the roles of neighborhoods and self-determination. Our Community Alliance expects to have a significant voice in determining the direction of change in our neighborhood.

Summary of Sub-Committee meetings for Darrow Corners Project. When the Planning and Development Committee formed a special committee to explore compromises that the Developer might make to address community concerns about the Darrow Corner's proposed development, the neighborhood groups represented by Todd Smith, John Leineweber and me, had four principal areas of concern. One, ownership.

We had serious concerns about a densely populated building of uniformly low income renters, particularly given the lack of full-time staff on-site to oversee the property. We wanted some immediate stakeholders to be living or working on the premises. We suggested a mix of residential owners and renters as HODC has done at some of its other developments. While creating a cooperative now as REBA Fellowship has done at some of their properties in Southeast Evanston. HODC's response? Not possible because the financing will allow only rental use for a minimum of 15 years.

However, they will form a Tenant's Committee. Commercial space at street level. To spur economic development, to conform with the neighborhood plan and to create a more pedestrian friendly environment around the building, the neighbors asked for commercial space at street level, fronting Church Street. This would also introduce alternative stakeholders on-site in the form of businesses with a vested interest in the maintenance and general environment of the property's common areas.

An Evanston branch library was considered and agreed to by us neighbors and Developer. That was modified by virtue of a space allotted for this. Only 1200 square feet, as opposed to the minimum 3000 square feet which will be made available with the first floor modifications, which is not large enough for an actual library branch on Church. Also, the Evanston Library Board advised that the expense for this location was not feasible. Subsequently, Alderman Holmes reported that some neighbors voiced opposition to a quasi-library computer center at that location. HODC response to this request?

Most of the common area on the first floor is

reserved for storage, laundry and ECDC and HODC offices and a community room. Independent commercial users would require a carve-out of space from the LIHTC funding. Developers indicate that commercial space is not feasible. Adequate parking. The neighbors requested that HODC find a way, through TIF funds, home funds, for purchase of the land, economizing on construction where there's a wide swing between budget and proposed higher construction cost, nearly 1.2 million dollars, to provide the parking required by zoning, on the premises.

HODC along with the City Staff identified where additional spaces on the street might be utilized. As many as 28 parking, tightly North and South of Church on Darrow. Mr. Koenig also redesigned the parking lot to accommodate another three parking spaces by reducing rear yard set-backs and moving a handicapped space onto the street. The neighborhood groups were not happy with this accommodation. As it is anticipated that continued development in this neighborhood will quickly exhaust street parking, it is the neighbors belief that developers working in the Fifth Ward should be held to the same standards as all of the developers

in the city. HODC's response?

Because of cost and engineering considerations requirements, they are not willing to seek alternative financing to comply with zoning requirements with regard to parking. Inappropriate Density. Although this property is located in a B2 Zoning, the area surrounding the site is composed of two story, two-flats, single family homes and one or two story commercial properties averaging only 25 feet in height.

The neighbors feel as though this project, at 45 feet high and 97 percent lot coverage, will dominate the neighborhood physically and that it's residents, by their sheer number, may be significantly alter the tone of the community. Particularly their will be no full time site management or janitor. We asked that HODC consider reducing the number of units in the building to 18 by removing the third floor.

This would address our most serious concerns by modifying the sheer size of the building to 35 feet high, with 3 foot set backs on Church and Darrow so that it would fit more appropriately in the community's existing design. Creating a more manageable situation in terms tenant issues.

Building maintenance issues and traffic into and around the site which is already burdened by the truck traffic flowing to downtown Evanston and into the Onyx waste transfer station. Allow for the proper number of parking spaces required under Evanston's zoning ordinance. Result? Mr. Koenig stated that this will require modifying the IHDA application and that his Board of Directors had instructed him to abandon the project unless it could go forward as presented.

CHAIRMAN WYNNE: Mr. Sutton, I'm going to give you about three more minutes.

MR. SUTTON: Yes, I'm on the last paragraph.

CHAIRMAN WYNNE: Okay, thank you.

MR. SUTTON: Okay. It has been, it has become more apparent over the course of the past weeks, five meetings in all, that HODC really didn't have the ability to compromise much at all because of the application that has been submitted to IHDA for the LIHTC financing. To make any substantive changes would require that the application be resubmitted and his Board will not allow that course because of the resources that might be required to redesign the project.

While we appreciate that HODC has invested much time and money in bringing the proposal to this point, we feel very strongly that this dialogue with the stakeholders should have taken place before the application was submitted to IHDA. The neighborhood groups who oppose this project maintain that we should not bear the burden of the Developer's inability to modify this project because they finalized financing for a planned development before presentation Plan Commission, before presentation to the Planning and Development Committee, and before presentation to the legal stakeholders.

Like every other community in Evanston, the members of Community Alliance, Dr. Hill Community Associate, OLE, West Side Neighbors, and Mayfair Neighbors ask that our voices be heard. At the very least we demand that this project be in compliance with Evanston zoning ordinance as we believe a variance for this project will harm our community.

Therefore, we request that the Planning and Development Committee follow the recommendation of the Plan Commission and deny the variances requested for the Darrow Corners Planned Development. Thank you.

CHAIRMAN WYNNE: Thank you. Yes, if you have copies of Mr.? Yes, why don't you just pass that out. Thank you. While this is being passed out, I'd like to ask the Committee that we make the Sub-Committee report on Darrow Corners, dated today, part of our record. The Legal Department has indicated that we should include that in our records. Mr. Gaines, did you want to?

MR. GAINES: Will you also be making the opponents response part of the legal record?

CHAIRMAN WYNNE: This is what Mr. Sutton just read to us? Yes, then this would be part of the record.

MR. GAINES: Thank you.

CHAIRMAN WYNNE: Yes, all right. Want to step up? Okay. Now, Mr. Koenig, you don't have any new information do you?

MR. KOENIG: No.

CHAIRMAN WYNNE: Okay. And you don't have to be sworn then.

MR. KOENIG: Good evening, Council members. My name is Richard Koenig, I am the Director of the Housing Opportunity Development Corporation and on behalf of the Evanston Community Development Corporation we are the proposed sponsor of the Darrow Corners Project. Thank

you so much for having this meeting tonight and for allowing to go to the Sub-Committee process to go through and address some of the issues and some of the concerns that were brought up.

When we started the Sub-Committee process, we were faced, we were given a list of 10 community issues. Four primary and six additional issues which we covered throughout the process. The issues as identified were: Ownership, Management, Commercial Space, Parking, Use of Minority Contractors, Traffic, Land Ownership, the Memorandum of Understanding and the EPA information. As a member of the Sub-Committee, Dino Robinson, John Fuller and myself started to address these issues and we had considerable dialogue about a lot of the issues and so I'll mark off some of the easier ones that we addressed very quickly at the beginning of the meeting.

One was regarding the minority contractor issue, we had promised previously and continued to promise that we will give local hiring preference to local minority businesses in Evanston and that's something that we had long promised and will continue to reiterate. That's something that's a priority for us. An issue was traffic and we agreed that we would work

with the neighbors to try to address issues of traffic concerns primarily caused by Onyx, to try and make sure that those issues are addressed for the neighborhood. A question was raised regarding land ownership.

The, all of the land, all three parcels, the two that HODC owns as well as the parcel on the corner will be owned by the partnership. There will be no secret hidden partners, we have laid out exactly who everyone will be that's involved in the partnership and will be owning all of those lots. We shared also the Memorandum of Understanding between HODC and ECDC.

We have agreed to share the proceeds of this project with a community organization to provide some seed capital to help the organization be able to afford staffing, we've offered them the space within the building, and so we've really worked, I think, gone above and beyond what a lot of other developers have offered funding for the trust fund, to actually provide money for a community organization to give them some legs.

In addition, the EPA issue regarding the possible contamination of the site, we have already spoken with city staff and with the EPA to clean up the

environmental concerns, to address the tanks that are in the ground and make sure that that environment issue is cleaned up and taken care of. So those are the easier things that we've agreed to, there was not much disagreement about that, but we wanted to be clear that those we raised as issues and we have fully addressed all those concerns.

Regarding the issue of home ownership. We have offered through this proposal, when we started talking about the project about three years ago, we were looking for a way to start community revitalization along Church and Dodge. And we explored issues of, through the Evanston Community Development Organization, explored issues of rental housing and home ownership and try to find a way to get a building built on area that's very expensive, construction costs are very high. And we explored many ways that that could be done.

As we have explained, this was the model that we arrived at, is to create a way to provide funding for the community to bring over 6 million dollars into the community in order to create an opportunity to give people a decent place to live now as well as a long term ownership opportunity. We did explore a lot of issues

through the process, such as going through using a Co-Op model. Going through some of the alternatives and what the conclusion is, is that that costs a ton of money and it would require the city putting in a significant amount of money. Not just a little bit here and there, but a large, large amount of money and we've already secured that financing.

We went out in good faith and said, here's a proposal, that through the process we've discovered that this is a proposal that certain members of the community think is a good idea. And we went out and we secured that financing, based on the type of model, the thing that we wanted to be able to get built in the neighborhood. So the financing really followed the model, and the fiscal reality of what it takes to get something built on this site as opposed to the development following the financing.

The financing followed along with what it was that we needed to get built, get a building constructed in that area would be very expensive, and so that's, to be able to put that funding together. We have agreed to, we've guaranteed the fact that we will be selling these units to the occupants of the building after the

15 years. So in the year 2023, assuming everything is approved, the financing gets done, the building gets constructed. Then that year we will sell, the partnership will sell the building, HODC will acquire the property and sell those units to the people who are living there.

In the event that HODC is unable to do that, we have agreed to give the tenants themselves that ability to buy that building. So that they then can sell it to themselves. Part of this process, we recognize the fact that it takes a long time to get there and there are a lot of steps involved in the process, it makes it very complicated. But we are committed to providing the ownership training, we've committed to providing the Tenant Organization to get an organization up and running, to teach them how to run meetings, to get tenants involved with budgeting and then in the end of 15 years, if all else fails, they will have the right to buy the building and buy their units and sell that to themselves.

So there's a built in guarantee for that to happen. We've talked about the Equity Savings Plan and agreed to have tenants saving for a down payment and

we've agreed to match that funding. And we had originally agreed to match two to one and through that, through the community process it was suggested that for certain tenants we give them an additional match of four to one, which we've agreed to do for tenants who have been there for more than, more than the ten year period to give them an additional incentive to stay in the building, to give them the opportunity to buy their units. The other large issue we discussed was property management. And that included a lot of discussion of social issues and who's going to be living there and how will we be dealing with tenants, how will we be working with them.

HODC provides professional property management. Our style is very hands-on. Tenants know who to call, they know to call our office, they know where to get a hold of us and the reason we do our own management is because we found that other management companies are not as receptive. They're not responsive to the tenants, they don't provide for the tenants needs like we do, and we think that it's really important that tenants know who to contact and know who the landlord is. We have a constant presence at all of our sites.

That's not to say that issues never come up, but when they do, we get on them as quickly as we possibly can and we make sure that we continue to be good landlords. We recognize that getting the building built does not mean success. Offering the building for the long-term means success. Success for the community, success for the tenants that live there, success for the neighborhood. That, part of that process, of course, involves thorough screening. And the screening process has to be very detailed and we've gone through some of those details, so I don't need to re-cover that, but we have committed to involving people from the community in that process.

We've offered a seat on that screening board, through, to the Community Alliance as well as to ECDC to be involved with that screening. We recognize that good management is the key to long-term success for this building and all the other buildings. So we have agreed to bring additional staff to this building. We talked about having a half-time maintenance person, we've agreed to hire someone living in the building to be a management aide on-site and HODC is going to need another property manager who'll be providing regular

office hours on-site.

We'll estimate that they'll be there 20 hours a week to provide for the needs of the tenants. In addition, with ECDC having its offices located there, there will be a constant presence on-site. It's not only someone who works in the office, but also HODC staff on regular office hours, in addition to random times when the tenants stop by so they can't get, tenants can't get away with things when know that management's not going to be there. There will be a constant presence there on-site and it will take the community doing that as well as HODC and ECDC working together to make that happen.

We did address the issue of commercial space and we all have strong agreement that the commercial space, the space on the first floor should be active, used space. We disagree on exactly how that use should be. We don't believe that there's a need for a retail type space in that area and it would be worse to have a vacant space than to allow that space to be used for community purposes. We want to have a place for the people in the building to have a place to go to have their resident's meetings, to have a place to go for

their training sessions. To have a place to go through all the program that we've talked about.

We actually started to put together a calendar, and came up with a list of about 20 different organizations that would be interested in coming in and providing training such as the job training and the home buyer counseling and all types of other training in that space for the tenants who live in that building. We had offered to make that space available to people outside the building, but the community felt that that was not a good idea, so we've withdrawn that. And we'll make that space available for people living in the building to help work on issues that they think that they need to work on but to give them a space to congregate, to get together, and to become a community within that building.

We've addressed the library issue and are interested in pursuing some sort of community use. Whether it's a legislative outpost, or, there's other alternatives that I think that we can explore in redesigning that area and coming up with a use that would really be a great asset for the community. Of course the issue of parking is one that we recognize and

it was something that we had asked for a variance. We still believe that there are sufficient parking spaces for the tenants who'll be living there.

That's based on the three factors that we had talked about before. One, the current HODC tenants have less than one car per family. Neighborhood residents average about 1.2 cars per family and this building adds 1.1 cars per, for household and nationally, most cities that have affordable housing available, they talked about inclusionary zoning or have set-asides available for affordable housing, allow lower density parking because they recognize that the tenants in the building will have fewer cars, that the tenants will be able to use public transportation, it's right there on the bus line, so that's really a great asset. This is a perfect location for providing housing like this based on those types of assets.

We have, however, when working through the committee and through great suggestions, found a way that with a few modifications and, unfortunately asking for some more variances, we could squeeze out a few more spots within the site. And that's something that's summarized briefly in that memo, but if we reconfigure

some of the spots on the inside, if we address squeezing some of the parking spaces, we can possibly fit up to five additional spaces right there within the site.

So to provide those additional housing, in the, if the Council is interested in having us do that, to squeeze those spaces out, we can discuss that a little bit further. We did agree on some of the other issues regarding putting up the fencing on the West side as Alderman Jean-Baptiste mentioned to you, a wrought iron fence to create something that would be attractive, that would be an asset. We've agreed to put in the sliding door for the access from the alley, an overhead door.

And so, I think that we have, we have gone through the process and we've appreciated the input and we've tried to make this the best building possible. The form of the building is, again I must say, it's not driven by the financing. The building that we're building is going to provide a mix of one, two and three bedroom apartments. It's very rare in the affordable housing world that you can get three bedroom apartments.

That of course, raises the issue of parking, because of the additional bedrooms that we're going to

make available so that families with children can actually have a decent, affordable place to live. So the issue regarding the units, the reason that we have the number of 27, is that, that's the number that fits comfortably within the site, within the zoning envelope. We're not asking for a variance on the height, in fact we're right at the height.

In fact on our PD, we could go up a whole nother story. We're asking for 75 percent of the total number of units which could be allowed, per the zoning on this site. The zoning would allow up to 42 units and if you put in 42 one bedrooms, you could easily fit the parking there within the site by putting in a lower level. But that's not what we're proposing. We're trying to make affordable that would fit for a range of people.

For people that need one's, two's and three bedroom units. I've gone through the neighborhood plan trying to figure out where I missed that language, that the building should be smaller. Because in essence, what I learned last Friday, through the review process, is that I'm being asked through HODC, through the development, through the project, is just to make one

change. And that one change is to lop off the top floor.

It's been said that that would address some of those issues and so I wracked my brain and I read the plan over and over this weekend trying to figure out where I missed the fact that we should be building below what's allowed, where we should be doing, looking at something that would be a lower density zoning, and issues in the neighborhood plan addressed industrial uses.

They addressed the R-5 issue, and really the issue did not come up through the neighborhood plan process and so, through the community process, since meetings in 2003, in May of 2004, where we presented this proposal and in all the other community meetings that we've talked about and the people that have been involved with process. I think what we've come up with is a site that, a site plan that fits within zoning, that provides a range of opportunities, it addresses a number of issues that otherwise would not be able to be addressed without taking any significant impact or any funding from the city to create such a valuable asset.

I recognize that this meeting tonight, and

what we're asking for tonight is to, is for a decision about whether or not this is something we can go forward with and working in the community. But this is not the last meeting, by any means. There are still many issues to be discussed. We recognize that we have to continue to talk about other types of issues. We need to talk about how the community space will be utilized, and we will continue to do that. We know that we need to go through the selection process and make sure that that is discussed so that everyone feels comfortable with that process.

We know that we need to talk about landscaping. That was something that wasn't specifically addressed as one of the top ten issues, but we have agreed to add additional landscaping. We had talked about putting landscaping in the parkway, putting trees. We're talking about limiting curb cuts off of the street, but we've, in addition, we've agreed to, on the first floor, push in along Church Street, to create an arcade area where there will be planters placed in there, where the set-back on the first floor would be back three feet where we'd put in planting.

We've agreed to put in plantings along Darrow,

all the way up along the street where there's parking, up along the, along the street, from up to the alleyway, we've agreed to put in planters there so that the lattice work, so that vines can grow up the lattice work, so that the cars will be hidden. To put in additional planting, to put in bushes and flowers and to really make it, not only plantings along the parkway, but plantings through the process we've discovered that it's really necessary to really shield the cars and create a really beautiful asset so that people walking up that sidewalk can see the beautiful landscaping that we've put there.

So this is not the end of the journey, this is just the beginning. We do recognize that we will continue to talk with the community, we'll continue to work together, we'll continue to iron out some of the other details. So I wanted to thank you all for going through this process with us. I wanted to thank you for having the Sub-Committee process and again for your consideration and time. Thank you very much.

CHAIRMAN WYNNE: Thank you. Thank you very much. All right. All right Committee, discussion? Alderman Tisdahl.

ALDERMAN TISDAHL: Thank you Alderman Wynne. Mr. Koenig brought up the neighborhood plan which is what I had wanted to discuss tonight also. I received a call from someone who said she would never have bought a home in this area if she had known we weren't going to follow the neighborhood plan. Well, we voted on the neighborhood plan, we agreed to it, so I went back to look at it to see what it says. And it says on page eight, three, the developed neighborhood retail service centers, the three locations within the study area, Ashland Simpson, Church Dodge, the Green Bay Road corridor.

These three areas are envisioned as predominantly neighborhood oriented commercial areas serving the retail and service needs of the local community. A number of the needs have been described through the planning process. Restaurants, coffee shops, local branch bank, local immediate care center, and then it goes on. On page eleven, Goal Two. Develop neighborhood develop neighborhood retail service center at Church Street and Dodge. It says Church and Dodge is the historic retail center of the Fifth Ward and home to ETA Chess, despite its past as a nexus of African-

American business and community life in Evanston, this commercial area has experienced economic decline and social stress.

What once was a viable neighborhood business district now has few local businesses and it goes on to discuss the need to develop commercial enterprises. On page 24 of the neighborhood plan, it, there's a discussion of maintaining affordable housing. And it says they want to maintain affordable housing units and increase home ownership. And that's a goal throughout the plan is to increase, thank you Alderman Rainey, to increase home ownership. On page 23, it discusses a decrease in the number of percentage of home owners in the study area. It talks about the number of dilapidated buildings.

Mr. Wolinski has told us that fixing and selling affordable, fixing and selling dilapidated buildings in an area, increases the value of the area and can provide affordable units. I have been over this plan and on page 9 it does talk about providing affordable rental for locally employed Evanston residents.

But I can understand why the woman who called

me felt that this project was not the sort of project that we had okayed and in voting for this neighborhood plan and so I am reluctant to support a project, having voted for the plan, that I cannot understand how it, how it complies with the plan. And I wish that Mr. Koenig, who I think has done a wonderful job at the financing and is a great guru at that, but I wish that he'd had a chance to look at the neighborhood planning report before coming up with this project.

CHAIRMAN WYNNE: Alderman Jean-Baptiste.

ALDERMAN JEAN-BAPTISTE: Alderman Tisdahl, if I followed you correctly, you said the plan called for development of commercial business districts.

CHAIRMAN WYNNE: Alderman Jean-Baptiste, is your mic on?

ALDERMAN JEAN-BAPTISTE: Yes. Development of commercial business districts. This one, maintain affordable housing, and increase home ownership and then to provide rental housing, affordable rental housing. Did you say that?

ALDERMAN TISDAHL: Those are on the list, yes.

ALDERMAN JEAN-BAPTISTE: Those were the three categories, right?

ALDERMAN TISDAHL: To maintain affordable housing and increase home ownership, yes.

ALDERMAN JEAN-BAPTISTE: Yes, I repeated that. Develop commercial business districts, right?

ALDERMAN TISDAHL: Yes.

ALDERMAN JEAN-BAPTISTE: Maintain affordable housing and increase home ownership and to increase availability of affordable rental housing.

ALDERMAN TISDAHL: For locally employed Evanston residents, yes that's what it says.

ALDERMAN JEAN-BAPTISTE: Okay.

ALDERMAN TISDAHL: But it also talks about the decrease in the percentage of homeowners and the increase in the study area of the number of people who are renting. Which is why it puts an emphasis on increasing home ownership.

ALDERMAN JEAN-BAPTISTE: I understand that. So having mentioned those three aims of the plan, you then concluded that this particular proposal is incompatible with those. Can you maybe elaborate that, because I'm not sure I'm seeing how you get to your conclusion.

ALDERMAN TISDAHL: Okay. I would be much happier if there was retail or commercial space on the

first floor. That would solve one problem for me.

ALDERMAN JEAN-BAPTISTE: Okay.

ALDERMAN TISDAHL: The second is if home ownership happened sooner in an area where there's a decreasing amount of home ownership and an increasing number of people renting. If part of the, if some percentage of this was immediate home ownership, and if it didn't take 15 years, I, it's difficult for me to consider the, this as providing home ownership when you have to wait 15 years.

ALDERMAN JEAN-BAPTISTE: Mm-hmm.

ALDERMAN TISDAHL: To me this is a rental project for quite a long time.

ALDERMAN JEAN-BAPTISTE: What about the notion, the goal of increasing rental housing?

ALDERMAN TISDAHL: It says provide affordable rental for locally employed Evanston residents and that is the one goal that I do think it meets. And I put that in because it was in the plan and I wanted to be complete. It does provide affordable rental. I don't know that it's for locally employed Evanston residents, although that's what the plan calls for.

ALDERMAN JEAN-BAPTISTE: Okay. Could I just

ask you, you've been able to take a look at the commercial spaces in that particular area, right?

ALDERMAN TISDAHL: Yes, I have.

ALDERMAN JEAN-BAPTISTE: And do you find that it's fully occupied?

ALDERMAN TISDAHL: No, they're not fully occupied. I'm not sure that all of them have been kept up to the level where they're expecting to be fully occupied right now.

ALDERMAN JEAN-BAPTISTE: So you're saying maintenance is the basis of their low level of occupancy?

ALDERMAN TISDAHL: No, I think there are multiple reasons, but I certainly think that having a commercial area is something that is in the plan and is something that the plan says we should strive for and I voted for the plan and I therefore think that, yes, you probably can if you work on it hard enough, get commercial occupancy. I'm not sure that retail would work right now, but I think you could probably get some commercial. And I am very concerned about a large room that I don't know what's going to happen, you know, I don't know what use it will have.

If in a pedestrian friendly area, you don't have a large empty room. You're supposed to have a vibrant street life, you know, with I think commercial would be better than the large room. And some of the photos that we were shown of other projects with community rooms, it became clear that these were senior affordable housing areas. Where there were people that were living in the building all day long so of course, they were in the room and made more use of it than in a building where I would hope that people would be going to jobs.

ALDERMAN JEAN-BAPTISTE: So are you saying that every project that may be developed in the area, one, has to build with increasing, at least adding some more commercial space in the area even though we have a number of commercial spaces there that are under occupied or unoccupied?

ALDERMAN TISDAHL: We also have rental areas, rental spaces there that are not occupied, so, we're putting in more rental.

ALDERMAN JEAN-BAPTISTE: And what is the problem with occupancy of the rental space that exists now. See, I'm trying to understand the conclusion and

you may be totally right, I'm just trying to understand how you get to the conclusion you got to. The other thing is, increasing home ownership.

So you're saying every project that is proposed for the area, going forward from the plan, if it doesn't serve the specific purpose, at least one of its main tenants, to provide more home ownership, then we don't need to have any development going on over there? So a vacant lot is preferable in terms of the conclusion. And you're saying that if a rental housing is, has gone up, we have to guarantee that those who have gone in there are locally employed?

ALDERMAN TISDAHL: That's what the plan says, that's not what I said.

ALDERMAN JEAN-BAPTISTE: I understand that, and I'm asking you is that what we have to guarantee or else we have no development going on in the area. Because it seems to me those three items you're talking about, one, you know, without some kind of density in the area, commercial space will continue to be vacant. Two, maintaining affordable housing and increasing home ownership, you know, is a product of the market.

Are people going to buy and where are they

buying. And I think that, I'm not sure we have a whole bunch of homes that are rented there, I think we have many more homes that are owned and occupied by the owners in that area. So I don't, I'm not seeing a whole bunch of vacant homes sitting there.

And thirdly, the rental housing for locally employed, I would think that those who would seek to rent there would include those who are employed in the city of Evanston. So, if there were some other factors in the plan that you saw that led you to the conclusion that you reached, I could understand it, but I'm just trying to, it just.

CHAIRMAN WYNNE: Why don't we let, why don't we let Alderman --

ALDERMAN JEAN-BAPTISTE: You're sitting through the committee and going through the discussion --

CHAIRMAN WYNNE: Alderman Jean-Baptiste let's let --

ALDERMAN JEAN-BAPTISTE: That was never an issue that was advocated for.

CHAIRMAN WYNNE: Let's let Alderman Tisdahl respond, because you've asked her a number of questions. If she'd like to respond.

ALDERMAN TISDAHL: Thank you Alderman Wynne. First, in the report and then now I'm not going to find exactly where, but it does talk about, aha, there are a number of parcels in the study area that are deteriorating, boarded up, or under utilized.

In addition, not all property owners demonstrate commitment to the overall well being of the community in terms of their property maintenance and management practices. Upgrading or redeveloping these areas will require significant property owner involvement as well as investment. All that I'm saying is that Mr. Wolinski said at one point that it does help to revitalize an area if you purchase homes that are boarded up or dilapidated, rehab them for affordable housing, that that's a very successful way to both provide affordable housing and to revitalize an area.

I support Alderman Rainey's suggestion that we have a referendum and that we spread the, that we spread the joys of supporting affordable housing throughout the entire community through a broader group and that we put that money into rehabbing buildings and providing some immediate home ownership. I very much hope that we will do that. This neighborhood plan may say to you, when it

talks about the importance of retail and commercial on the first floor of projects, that the plan that Mr. Koenig has proposed, which has a large community room on the first floor instead, it may, to you, seem to be in sync with this plan, to me it isn't.

Does every single building that is built in this area have to have commercial on the first floor? Absolutely not. But this is one of the first, and we just passed this plan. And all of this is being done with tax payer money, so I am somewhat confused since according to one of Mr. Koenig's statements, it could have been designed to have commercial on the first floor, but not with the current financing. I am confused as to why it wasn't. I think that would have been, as I read the plan, which calls for commercial and retail on the first floor, that would have been more in keeping with the plan which we all passed. We all voted for it.

ALDERMAN JEAN-BAPTISTE: May I just ask her one more question?

CHAIRMAN WYNNE: Yes, but I have two other Aldermen on the list.

ALDERMAN JEAN-BAPTISTE: Okay.

CHAIRMAN WYNNE: Is it a brief question?

ALDERMAN JEAN-BAPTISTE: Yes, I was going to ask her, so are you saying that if this had commercial space on the first floor then you would support it?

ALDERMAN TISDAHL: If it had commercial space on the first floor and it had some portion of it had, provided immediate home ownership then yes, I would support it and I hope to support it. I hope that we'll be able to resolve some of the problems with it. That I see with it.

CHAIRMAN WYNNE: Alderman Holmes? And then I have Alderman Bernstein.

ALDERMAN HOLMES: Oh, I just wanted to follow up with what Alderman Tisdahl was saying, if you, where you just finished reading from, Alderman, if you would read the next paragraph that states the manner in which this is pursued is crucial to increasing the offering of local housing opportunities while minimizing displacement of moderate and low income residents. And I also wanted to follow up by saying that you made a statement that you wished that HODC had looked at the plan before developing this project.

I wanted just, I can't speak for HODC, but I

want to say that there was lots of looking at the plan from many of us who live in the community who had worked on the plan before contacting HODC to become a part of this. And I'm speaking now with an old hat, when I was a part of ECDC. So the plan was very definitely looked at and I think it is a matter of opinion in terms of how you interpret the plan. Whether it is in, that this project is not following the plan or is in conflict with the plan because I happen to disagree with that.

CHAIRMAN WYNNE: Alderman Bernstein?

ALDERMAN BERNSTEIN: Thank you, Madame Chair. I come at it a bit differently. We all have sat up here and overlooked comprehensive plans, zoning ordinances, when the end-game met the needs that we were trying to fulfill. But what moves me about this particular neighborhood plan and it's unique to this group of objectors, is that these objectors were not just reacting to a program. These objectors were in fact pro-active and they were developers of this plan.

These people have been meeting with Alderman Holmes for years. So I'm not as concerned about the letter of this neighborhood plan, but its spirit. And I think the spirit was to rebuild this neighborhood,

which, in all my years on the Council we've conceded needs a great deal of rebuilding. The question then is how to go about rebuilding and from a zoning standpoint, I think this project proposes to overbuild the lot no matter what's in it. And I think that's one thing. The fact that it doesn't come up to the level of PUD's that you could conceivably ask for, is irrelevant to me. It leaves no, no space of anything. No breathing space on the lot whatsoever.

The parking is very important in that area. The fact that we can develop 30 additional spaces, if we do our jobs right, we're going to need those 30 additional spaces because there will be some, please god, some life breathed into this area. So, when I look at a project from a zoning aspect and it calls upon me to extend variations, I then look to public benefit. And to me, the public benefits here are too remote. And too obscure and too, too iffy. There are no guarantees in this plan.

I do a lot of work with condo organizations and I know how difficult it is for people who are invested in a condominium unit to give time to a condominium association. To think that there's going to

be a tenant organization that's actively running this building begs my frame of knowledge. I don't think it's going to happen. I think that tenants are tenants and I think that's largely what is the concern of the neighbors in the area. Another concern is the, we, none of us gets tomorrow. That's the same for individuals and for not-for-profit groups. We're putting a whole lot of faith on the continued existence of HODC and continued viability of HODC and I've indicated that to my knowledge, HODC, Mr. Koenig specifically, is probably the best at what he does in terms of financing these projects.

But it begs the question to me for him to say that the financing isn't driving this project because the 15 year pay back is the very reason that there cannot be any home ownership until 15 years. But then, there's only a right of refusal in HODC initially. So if they choose not to, if the corporation wants to sell, the owner corporation wants to sell, HODC, if in fact it's still in existence, or a successor to it, has an opportunity. If they choose not to, then it goes to this group that's going to be formed from a tenant's organization. Which again I question will ever exist.

Then, there is no option to purchase. Unless these two pre-conditions happen.

It's just so remote for me to believe that people are going to try to buy in. Now they talked about Co-op ownership, they talked about any form of ownership initially negates the entire credit situation that this whole six million dollars is built upon. It can't happen. There cannot be any ownership earlier than 15 years and that to me is questionable whether it's ever going to happen. You weren't here for the last meeting when the consultant who talked about our revitalizing, our planning and development methods and our methodology of how we view a project and what we do. And in effect I asked him, if you build it, will they come? In effect. Meaning, just because this is not a great project, should we take it because it's better than nothing.

And I've made the argument historically that sometimes it is better than nothing. But we're at the very beginning. And in order for us to be true to the mission that I hope that we're here about, we have to go out and create a vision for that area and then reach to that vision. We cannot react. I think that this

project may well be suited for other areas. But I just don't think it's appropriate for that particular area. The fact of a, an unsupervised 1200 foot space just boggles my mind. Because I perceive who is going to be hanging out in that space.

Okay, now we're going to preclude people from the neighborhood unless there's renters, but there's going to be renters in the building who are going to have friends coming in scares me. I don't want that to happen, all right. Now, it's a wonderful thing that we're not being asked for any city's funds. And the other night Alderman Rainey made a statement with respect to a request for funds, about why don't agencies get together?

This is six million dollars that's going to be spent for affordable housing and Marty Stern said it was consistent with the reality, but to me, $389,000 rental units are *really* expensive units. And I'm putting, you know, I'm just trying my best. And I was not excited about the project initially because I know the people who are objecting. And I know their commitment to the community. And I know that they're good people. Now, on the other side, I know the current leadership of ECDC

and I love them, but I just think that there's too much, too much fat in this particular budget for a couple not-for-profits and too little benefit for the public.

I need to see home ownership, I need to see retail in that area. Because that is one of the corners. If we give it away now without retail, we don't have any areas to come back. There are some vacant areas. Are we going to go and kick Onyx out? Which I'm guessing, you know, some people who are developing the area would like us to do because the values of their property would enhance. But, I mean the reality is that there will be development in that area because we're going to make it happen.

And I think that the best way to make it happen is to, to try to find something that feels better. And that's all I'm saying and the bottom line is, it doesn't feel right to me. I think there's just too much want to, too much hope, too much speculation, and I just don't, I don't feel comfortable with the players on whom I'm going to have to place my hope and needs for the next 15 years. So I can't support this now. I don't know that you can go back to the drawing board, I saw, you know, a valid attempt to negotiate.

But the reality is, when the financing mandates a 15 year period, you can't do much about it. You could cut off the top.

Well, you know, then you have a smaller project of a similar nature. I think that, I got a call today from a zoning lawyer in town who has a person who wants to buy this land. Well, we all know that there's going to be 100 people who want to, 100 people who have projects, and it may be a while. Dino sent us a letter and saying, well, if we don't accept this it might be another how many years before we get anything in this land. I hope that doesn't happen. But at this point in time, I'm not wedded enough and not convinced enough in this particular project not to take a chance that we're going to do better in a very short time to come. So, with reluctance to my brother and sister aldermen who are very concerned and vested in this project. I cannot support it.

CHAIRMAN WYNNE: Alderman Moran?

ALDERMAN MORAN: Thank you. First let me say one thing. You know, Steve was just mentioning hope and I want to talk about hope for a second in relation to this project. You know, ten years ago this Council sat

down and made up a list of priorities that we should work on over the course of time. And the number one priority was to do what we could for the West side and specifically the Church/Dodge area.

Tonight we are presented with a proposal to do something about that. Since that time I have carried the hope that there would be people of good will and hope who would come forward and make proposals that would help build momentum in that area that we have observed many times has been absent. And tonight is an opportunity to look at that hope. From another perspective, I am just lost with this notion that by proposing a building that is rent-to-own, and so that people understand, the people who rent units in this building will have the opportunity to purchase their units over the course of time.

It's also important to observe that in part, the size of the proposed building, has resulted from the desire to build 27 residential units, numerous of which, all of which will ultimately be attractive to people who will want to have equity ownership of those units. And people keep talking about size, and they forget to mention the fact that the size element is driven to a

large degree because there is hope that renters will ultimately own these units. I do not despair and I do not lose hope when I hear that a building will initially be a rental building.

Evanston is legendary for being a stepping stone for many people who are starting life and, adult life, and building families and the first place we have, and for a lot of us the second place, and the third place that we live in, are apartments. I reject outright the notion that this building, or any other building in Evanston is a potential blight on our community because it might be a rental building. I reject that. I reject the notion that renters cannot be stakeholders in the community. I know people who own property in this building that I don't consider to be stakeholders in this community. They don't do the right things. I see it all the time.

So, so to say that an owner, an equity owner is a stakeholder and a renter is not, is, well, it's wrong. This is a place, that other people have talked about this and are better informed than I, but I've heard people refer to this lot as being empty for at least 30 years. It's most likely polluted because it

was, at least at one point I'm told, a gas station. We have a place that, to some degree, is exemplary of the fact that we have not progressed as much as we should, when we have a good sized lot, in a very prominent place in our community that has sat empty and contaminated for 30 years.

And there are people who are, obviously not satisfied with this proposal, but when I say, what is the recourse, that we continue to look at this empty contaminated lot and say, you know, you know, if not here, where, if not now, when. We need to do something and we've got a proposal here to do something. A lot of discussion about how this project is to be financed. But the plain fact of the matter is, is that we have an unusual opportunity. We have people like Optima and Roszak who come to us and ask us for concessions for them to build their buildings. And we've made huge concessions to them, for opulent housing.

We have here a project for low to middle income people who I would have thought, if we were ever to make any progress on a situation like this, that the coffers of the city of Evanston would be drawn down to a huge degree and what we are presented with here is a

project that indicates that our coffers will not be drawn down at all. There is a financing mechanism that HODC is using that allows us to avoid making any specific dollar commitment to the construction and propagation of this project.

And I take that as a significant benefit to the community at large, because people who are willing to invest in investment tax credit plan for the construction of this type of housing are willing to make those types of commitments, it's good for them, and it would be good for us. If for no other reason, than we don't have to pay out of the city treasury to make this happen. The question of home ownership. Home ownership is not a thing that's easy in Evanston, regardless of where you are right now. I have two kids, one who's in her late 20's and one who's in his early 30's who can't afford a house in Evanston and I don't know when they'll be able to.

So there's, if people want to break in in Evanston, if they want to live in Evanston, and I think that people should want to live in Evanston, I know I have. You've got to work your way up the ladder. There's the, you know, that's just the economic reality.

You can't get away from it. You, somebody, you've got to get that one bedroom apartment, if you're lucky two bedroom apartment, work your way up and maybe ultimately you'll be able to get the money to buy a home. But that's not, that's not bad. That's hope. I see hope in that. Evanston has always provided that hope.

You know, one of the beauties of our community is we have this diversity in our housing stock. Where, where people, you know, it's not like Lake Forest. You don't have to have a million bucks in the bank to just enter this community. There are other ways of doing it and this is another way of doing it. HODC in its conversation with the Sub-Committee and other forces within the community, has, from my perspective, come up with some good alterations to the plan that will make sense. And Richard, and I'm not going to repeat them, Richard recited them for us. But it's not true that they have been categoric in their approach to this plan.

They've stood their ground where they had to stand their ground. There's been concern that they haven't compromised enough. I think they have compromised on a number of situations. The places where they haven't compromised are the places where they don't

have the flexibility to compromise where this particular financing plan demands certain things of them and that's been referred to here tonight even by the objectors. So I think that we have to say, this is the reality, the economic reality is that certain things have to be done a certain way. Others we can nip and tuck and improve and I see that that is happening.

With respect to the parking question, Jim Wolinski did a study in relation to parking in the city of Evanston and has related it to two particular census districts that are in and around this particular area. Now, the original proposal, maybe not the original, but the one that's come forward most of the time by HODC is that they would have 30 parking spaces for 27 units. So that's 1.11 parking spaces per unit. In the two census tracts that are most relevant to the location of this particular project, 8092 and 8096. Looking at both vehicles available for owner occupied housing and vehicles available for renter occupied housing, the average vehicle demand cumulating, accumulating both of those categories of housing is .99. And that is in the May 3, 2006 memo on this subject. The data of which was collected by Jim Wolinski.

The proposal that Richard came forward with for HODC was 1.11 which would be, if this scenario were to hold true, is in excess of what the automobile demand, parking demand would be for this particular project. But we don't have to be satisfied with that. Because one other aspect of having this dialogue, which I give credit to both the objectors and the proponents for, and for our city staff, is that there has been a proposal brought forward to add 69 street spaces on Darrow north of Church and 12 spaces on Darrow south of Church. So, we not only have the provision of what should be, and I recognize that it's not completely inconsistent with the zoning requirements. I understand that.

But, of course, the zoning requirements are set up on a broad basis. They're not meant to address strictly an affordable housing project which, I think logic tells us that there's going to be a lesser demand in that situation than the entire panoply of situations. But we've done better because we've found 28 more spaces that could respond to this situation. Not only this situation, but the whole neighborhood, because my, as I add these numbers up, I suspect that if we proceed

with that plan, and I'm prepared to do it, that actually other people in the community will have more available parking.

I don't expect that these additional spaces will be drawn down on by residents in this project if it goes forward. HODC also, as Richard said earlier, worked hard to come up with the redesign so that it's possible to add another five spaces which would bring it up to 35, 35 spaces for 27 units which will get it to 1.25 or close there to. Again, following the statistics that we've been cited by our Community Development Department is well in excess of what should be needed for this particular project. We've addressed the home ownership because there will be a time when the units in this building will be owned by people who are living there.

I believe that this community space, I think can provide a benefit, but I think over the course of time we can all have hope that if it doesn't work out, we have significant resources in this community that will find apt uses for that space and I think everybody's going to feel ownership in that regard and want it to work and I think we will find a way for it to

work. HODC has made commitments in terms of additional landscaping, made commitments in terms of additional set-back.

The project, Church Street Village, which is going to go forward and will be east of this project, and which I derive hope from as I would from this project as well is going to be a good addition to that area in land that is not being utilized in any positive way right now. But it will be a project of, I think we stopped at 40 units, 40 or 41, with pricing at, between $340,000 to somewhere in the low to mid 400's I believe. I feel that this Council would, if it did not come up with an affordable housing proposal in this area, that did not have a substantial rental component, that we would be sending a signal to this community that we were turning our back on it.

One of the concerns that I have had has been, as much as I support the Church Street project, I can see some members of the community seeing a project that contains units that are selling for 340 into 400 as not being affordable. Although in point of fact, on a relative basis, they are affordable in Evanston. When you see every new house that goes up, it costs between a

million and a million seven now. 340,000 amazingly is starting to look affordable in Evanston.

I didn't think I would see the day when that would be the case, but it's true. Now, if we just stop there, it wouldn't be, it would not, in my view, foster a positive outlook to the community on the west side. To say, we're going to come in, you know, with townhouses or condominiums, they're going to be in the 300, $400,000 range and then we're just going to march right down Church Street and we're going to put in more and more and more of that. I think that we'd be turning our backs to the community by suggesting that that's all we want to see. And it isn't all that we should want to see.

We should have rental affordable housing in that area. And this will give us a chance to do that. I don't see any of the public benefits related to this proposal as being remote. I don't see them as being hopeless, I see them as being extremely hopeful. I see this as a tremendous potential benefit to the community. We did adopt the neighborhood plan and I wholeheartedly endorsed it because it's been my hope and my desire that the west side, with everybody working together, will

move forward in a positive direction. People will feel included, and that was what a lot of the work in that plan involved and I'm fully supportive of it. I'm fully supportive of it.

Does that mean that I think that every single incremental element that could go into, that could relate in one fashion or another to that plan, will be a perfect replication of every specification in that plan? Reality and practicality and my life experience tells me that that is not going to be the case. It's not going to be perfectly in conformity with every aspiration that's annunciated in that plan. But you know what? Having proposals that get close? That means a lot to me, you know.

Somebody said a long time ago, they said you know, politics is the art of the possible. I didn't understand what they were saying at that point but I know better now, I mean that was a long time ago, it was like 30 years ago, now I understand, I've come to understand what they meant. And it means that, you know, nothing's ever perfect, but the political process suggests that people get together, they have good faith, well reasoned, heart filled arguments about what exactly

is the right plan and then ultimately you can come up with something that makes sense.

Everybody may not be perfectly happy but what, you know you have a good situation when the community is moving forward. Maybe not perfectly in conformity with some prescribed plan, but when you're hitting on most of the major points, you're making progress. This project will allow our community to move forward in that direction. It's consistent with the spirit and the letter of our establishment of the TIF in this area. And I believe it's consistent with the overall spirit and criteria set forth in the neighborhood plan which I support.

I support the neighborhood plan. So I urge my colleagues to please consider supporting this. I think that this is a positive plan, I think it's a good plan, I think it's going to help us move forward, I would beg of everyone who sees deficiencies in the plan to continue to work. We will continue to work with you. I believe that HODC will continue to work with you. We need to get behind it, it's been a hard road, I understand that. I believe that people have made their arguments and their positions in good faith. I accept

that completely. But I think that this is a time where we as a community, all of us, need to start pulling together on this. If we see problems with it, let's address those problems where we can, where we can, let's address them.

CHAIRMAN WYNNE: Thank you Alderman Moran. I have two other members who are signed up and I'd like to move on to them. There are others who have not had an opportunity to speak. Alderman Rainey.

ALDERMAN RAINEY: Following up on a few things Alderman Moran mentioned. Years ago we did identify area of Church and Dodge and Howard Street as critical areas that needed our attention and that we would commit time and effort to. Unfortunately several years ago, an investor came along and purchased a lot of the property on Church Street around Dodge and what happened? It's all sitting vacant.

I went by yesterday afternoon. The grass behind the old grocery store at the corner of Church and Dodge has got to be at least a foot high. The place looks like the city dump. So, while we might have aspirations for Church and Dodge, obviously some of the people that have invested there aren't living up to our

aspirations. Secondly, I want to, that was just an aside really. I want to address the whole issue of home ownership. The 15 year time period. To me that is the weakest, the very weakest piece of this whole project.

The mom who moves in to this project, if it is built, let's say 2008 it'll be occupied. She's got a five year old and a six year old. Her dreams for home ownership, I don't think include living there 15 years and then after her kid has graduated from college, is 21 years old and one is 20, they're going to get to buy their house. Isn't that special? I mean the kid's 21 years old, probably got married and moved away, maybe got a nice job in California or something. That kid's not going to enjoy life in a home that he owns, absolutely not.

Anybody who lives in an apartment building, who lives there at the time the place is converted has right of first refusal. And those units are always cheaper. So if you move into a condo, if you move into an apartment building in south Evanston, the chances you're going to get a fabulous deal, when that building converts is far greater than you're being able to own a unit at Darrow Corners, believe me, that's an absolute

fact. This project is completely run and managed by its financing. Completely. I said once before, that this is the least creative financing plan that could have ever been dreamt up because it is the only way you finance low income rentals. It's the only way. So nothing special was done.

Richard told us the other night in a meeting that he worked at IDA. He knows exactly how they work there. I think, given the fact that Richard knows exactly how they work there and he has mastered this kind of financing, that he's ready to move on to something bigger and better, to another kind of financing and I think the Alderman in the Fifth Ward, is probably the best alderman that the Fifth Ward has ever had and that she can bring us a better project than this. I think this is just not the project for this corner and I'm not going to get into the community space, the parking is a disaster, but I'm not going to get into the community space because I think people know how I feel about that.

I don't believe this is the right project. I don't believe that we have to jump at the very, or that the community should jump at the very first financing

scheme that comes along to build something on that corner. I thought one of the speakers tonight brought up an excellent point that this project is going to take down two houses that are, I think they're both two flats. Just think, with a 100,000 each from home funds, those probably could be renovated, could be restored and sold to people of very modest means. That would be four units of owner occupied housing. Four units. I think that's very important.

Something else could be put on this corner. I'm not going to support this despite my overwhelming admiration for Alderman Holmes. I think, I think she can do better here. I think it was an opportunity to support a project and I probably would have seized the moment as well if I had been in her shoes. But I think the time has come, we certainly have made an issue of this corner.

I think people know about this corner, that never knew about this corner and hopefully either Housing Opportunity Development Corporation can come back with something really, really interesting and a real contribution to the community and I know Alderman Holmes would support that as well. Alderman Moran said

that if we don't build this, we're turning our backs on the community. I think if we do build it, we're sticking it to the community and therefore I'm voting against it.

CHAIRMAN WYNNE: Alderman Wollin.

ALDERMAN WOLLIN: Thank you. I'm going to try to keep this really brief, although I have made a lots of notes while I've been listening. I too am disappointed that the Sub-Committee meetings did not result in a compromise that was acceptable to everybody. But I do think, I object to the question or the statement, that neighbors in other city projects get to have a say and these neighbors didn't. Because these were five or six meetings, I went to three of them where in fact everybody did get a say and we do listen and people in my ward will be happy to tell you that even though they had serious concerns with a particular project, it was approved.

So it wasn't because it wasn't that we didn't listen and that we didn't try to make compromises that were workable. I also had a problem with the statement that families don't belong here. We're building as Alderman Moran mentioned, the Church Street Village

townhouses just a few blocks down. We expect families to live there. In fact families are the strength and the backbone of communities and so, again, I have a problem with that. I do think that some of the components, for example financing and savings for tenants so that they'll be ready for home ownership is a very positive thing. I don't think everybody is ready, not just financially, but in other respects, to own homes immediately.

I would hope that, in fact, Evanston residents who are workforce people, do get top priority in the screening and that's one of the things that I heard both at Church Street Village townhouses, I forgot what we're calling those, and in the discussion about Darrow Corners is that we will look at Evanston residents who work and live in the community and try to help them. You know, there are some programs that are there, I was very happy to see in the summary that even opponents said they would be willing to work on ground floor use, that we didn't have to decide that right tonight that we would be able to, they were willing to work towards that and I think that's a very healthy start.

You're right, this is perhaps, excuse me,

financing that is very clear about how to meet the standards to be able to use low income tax credits. But it is an opportunity on land that has not been developed, and it is an opportunity that if we don't use it, that money is going to go to another community, to probably build affordable housing. I am so concerned that we take a step forward to actually put affordable housing in place that I am willing to support this because I do think that HODC and ECDC have a record. They have worked within the community for years and years and years and they deserve to have, they've put all this paperwork together, they've hopped through all the state hoops and we all know how difficult that is, to be able to put forward a financial package that will bring six million dollars to Evanston and 27 homes to Evanston residents.

So, I'm not going to go in, we did talk about Onyx moving, I've been part of those discussions as well, so I know that that's not a, not necessarily a sky, you know, dream, that they will move out of that neighborhood. But I do think that we have to look at the realism of families having a healthy, good, strong, constructive building to live in who are working and

living in Evanston and that we can revitalize this area of Evanston.

I think we do it with the Church Street project, I mean the Church Street townhouses as well as the Darrow/Church corner project and I think it's a, that we can make some compromises here and we can come up with a final product that is going to meet the needs of many Evanston residents.

CHAIRMAN WYNNE: Thank you. Alderman Hansen.

ALDERMAN HANSEN: I'm sitting here and I'm bewildered at a statement that was made earlier by Richard about that the financing wasn't driving this project. And I know many of you have already spoken to this, but as someone that was on the Sub-Committee I see, I saw three major issues that the neighbors put forth which was the ownership versus rental, the parking, the ground floor usage. And when you talk about ownership versus rental and we talked about what if we could do, you know, a mixed use, you know, condominiums and rentals. Why, it couldn't be done, because of the financing.

What about the parking and there was a suggestion about, well, underground parking. Which I

will say I said from the get go, I was not in favor of because of the cost to underground parking that I would not put that hardship on HODC in trying to come up with an affordable housing project. But when the question was put forth, which was an idea that was put forth at the Sub-Committee level, the answer was, the money, the cost and the financing. There was another suggesting in regards to the parking of, well, what if you created less units, then you wouldn't need as much parking.

Well, I saw that there was, at the last Sub-Committee meeting which I was unable to attend, that well if we do less units, then some of the rents would have to be increased to cover that cost gap which would get out of the range of that target for this financing. Ground floor usage, what about commercial space? And the answer still remains the same. No, because of the financing. So I think, it just, I don't think the statement can be made that financing is not driving this project because I think it is. Three major things and to get my support, I was hoping that one concession could be made. Just one.

In terms of the ownership versus rental, there was, and Richard laid it out for us, the half time

maintenance worker, a management aide on-site, a second property manager. Realizing that the maintenance worker and the property manager would also be of use for HODC for their other properties. The HODC has said that this is something new for them in terms of this financing and this rent-to-own. And I think with so much of a question out there as to how this is actually going to play out in the next 15 years, it deserves more attention than, okay, we'll have somebody there, but they're going to be with our other properties and helping us manage our other properties and overseeing our other properties.

One of the first things we talked about was a tenant association which I was encouraged about. Because I thought this might address that ownership idea and Alderman Tisdahl, I think almost every meeting when this was brought up said, well, it has to be a tenant association with some authority. And she constantly said that but that wasn't how this, or isn't how this tenant association was going to work. They were going to be this ad-hoc committee and they'd get to, you know, almost like a classroom model, they'd get to sit there and talk about what we could do as an association, but

they wouldn't have any authority.

The ultimate authority would lie with HODC and I think that is not putting a lot of faith of these people who are supposed to own in 15 years. The parking, yes, city staff came up with, well, if we allow parking on both sides of Darrow, or allowed parking on this side we can come up with so many spaces. Which is great. However, my concern was, why is the city bearing the burden of coming up for the shortfall of parking for this project. This is not going to be, this is the first project right there. It's not going to be the only one. What happens when this revitalization of commercial and business occurs but we've already given away all the parking to this affordable housing project.

Where are these people going to go? Where are these people who are going to come shop at Church and Dodge, where are they going to park? And in terms of the ground floor usage, a suggestion was made before we even went to Sub-Committee level and I believe it was made by Alderman Wollin and I apologize if this is a wrong reference to you Alderman Wollin, but something about, and I don't remember the terminology, but a scheduler as to the use of the community room, like who

is going to oversee that, who is going to know who is having use of that community room, which residents, what's occurring there?

And that question or that idea still has yet to be answered because we talked about the library but towards the end of our time as a Sub-Committee we were unable to really say that that's what would happen there. So it was back to square one and I don't see where that was addressed. That if we still use this as a community space, who is going to oversee it and who's going to say what's occurring and if those things are in fact occurring. If one thing would have been given I would have been able to give my support to this but it didn't happen.

And there are options, but I don't think the options were explored because of the financing. There are examples that HODC gave to the Sub-Committee members in regards to what Chicago has done, or what Highland Park has done to assist in creating affordable housing so there are options. There are other ways of financing and they haven't been explored and I know that Richard and HODC can come up with those options and work with the city of Evanston to create affordable housing at

this location. But I think the model that we're sitting at before us, leaves too many what if's and there aren't any guarantees as to how this is going to play out and how it will be in 15 years.

The one thing I said was when we were at our last P&D meeting when we talked about Darrow Corners and came to our Sub-Committee group was that I didn't hear and I didn't see any type of compromise between the neighbors and between the Developer and all the projects that I've seen come through P&D in the last year, we've had that. We've had some type of compromise. It's not perfect, but there's some type of significant compromise on some of the major points or one of major points that the neighbors that are going to be directly affected, that the developer has come up with and this project doesn't even address one of their three major concerns. Just one.

And I think that just because it's, this project says it's affordable housing, I think that we shouldn't automatically say it's affordable housing, let's just do it. Or that I should look the other way in the process that we've seemed to follow in this last year and just say, let's just do it. I wish I could. I

wish I could support Alderman Holmes and say, let's just do it. But I think I'd be doing a disservice to myself and a disservice to the community if we didn't explore our other options.

CHAIRMAN WYNNE: Thank you, at this point I have Alderman Holmes and Alderman Jean-Baptiste next, but I do want to throw in my comments. I haven't had an opportunity to speak on this. I too am troubled by this project. As someone who worked the first four years that I was on the Council, with a neighborhood planning group, I know how hard it is to participate in that, how hard it, how difficult it is to get community members to come, how, the clashes that you experience and how productive that process can be.

Your community was the community that was studied after the Chicago Avenue plan was completed and I know how difficult that process was. I was at the Plan Commission a number of times when that report was being worked on. I don't want to, part of the ways that we get people to invest and believe in our community and our ordinances is because we follow them and we honor the processes that we create. Nothing could, I think, more discourage people in my ward, if, after four years

of hours and hours of working, if we completely ignore it, the Chicago Avenue plan.

One of the critical things that the Berchal Krause consultant's report indicated to us last week, that we all praised, was that planning, planning, planning. You develop neighborhood plans, you connect them to each other, you create an entire zoning ordinance that makes sense to everybody, it fits together like a jigsaw puzzle and then you follow it. To me, we're trying to plunk in a very inflexible plan, project, into the middle of a planning process that's, that took four years to take place and I'm not willing to throw out the process. I think the process was working here and I don't believe this project adheres enough to the neighborhood plan for me to support it.

I think as others have said, the model is too inflexible. And that's fundamentally what's went on here is instead of coming in with something that could be altered or modified or discussing it with the community beforehand, it was presented and it was unchangeable because of the financing. And I agree with Alderman Hansen. It's all about the financing here. I also agree with Alderman Bernstein that the home

ownership issue is, it sounds too fragile and too remote. 15 years is a long period of time, it's a hope and it's not a strong enough hope for me to support this.

We have to be able to do better than this and I think Richard Koenig has clearly got a terrific mind for financing these projects, but I think this isn't the right one for this site. This is the beginning of doing something at this site and too much of it is inappropriate to the neighborhood plan, to the neighborhood wishes and doesn't really achieve the goals that we're all hoping for and there isn't a one of us up here who doesn't completely support affordable housing but I don't think that we have to take projects that we are so troubled by. There has to be other ways to do this.

So, for all of the reasons that have been stated by those who are in opposition, I can't support the project either and I would like to support something, but I think this one presents too remote a possibility and too many problems that we can already foresee and there are going to be some unintended consequences that we don't even see tonight. So, I'm

going to put my Chairman's hat back on again. The Mayor is waving to me and we have a lot of folks waiting outside. The preservation awards are coming up.

I have two Aldermen signed up to speak. I, we need to decide what we're doing with this project at this point, whether we're going to continue for another five or ten minutes. What's the wish of the community? Why don't we take the last two. Alderman Jean-Baptiste, if you could be your eloquent brief self so that we give Alderman Holmes an opportunity to speak as well.

ALDERMAN JEAN-BAPTISTE: Well, I'm going to be as brief as I can be.

CHAIRMAN WYNNE: Okay.

ALDERMAN JEAN-BAPTISTE: This is about poor people. It has nothing to do with plan. This is about poor people. I've lived in New York, some years back and there was a case that went through the Appellate Court and the issue was that poor people constitute an environmental hazard. This is what this is about people, so don't fool yourself with the notion of plan.

Plans are guidelines and when you hide behind the plans then you raise it as a dogma to support a

particular perspective and the perspective that is being supported here is that poor people constitute an environmental hazard in this particular neighborhood. What plan, what are we talking about? We support revitalization, we all support affordable housing. Public benefits? There's not enough public benefits here, it's too remote. When have you guys done anything for Church and Dodge? And that area? Nothing has been done.

People come back to the city of Evanston and they see downtown and they're amazed. They see a lot of other neighborhoods and they're amazed. And they look at Church and Dodge and they shake their heads. It is the same old business. Planning, planning, it's not about worship of plans, it's about pro-activity, taking advantage of the opportunities, and couple them with your planning to make things happen. The city of Evanston doesn't have money to go and develop that lot. We don't.

We take advantage of the opportunities that have presented themselves, that present themselves to us. It's not about if Richard Koening and HODC had jumped through only one hoop then we would have awarded

him with our support. It has nothing to do with anything like that. Okay? Because we did talk about parking, it's not a disaster, there's 32 additional spaces identified, a year ago we gave some money, okay? To one of the main opponents of this project, because we believed in what he was trying to do and he increased the number of space available. We invested the money. Okay? He has commercial space he added to the neighborhood. So what? How did it benefit the immediate neighborhood? It didn't do a thing for any of the residents there.

The local resident business people could not even afford to go in there. So people, let's stop hiding behind the notion of plan, behind the notion of, we didn't jump through enough hoops, we compromised. In that committee, we engaged in the discussion of on-site management. The reason why it became so important is because this was poor people who were going to be in there and so we wanted to make sure that we managed them properly. And we talked about all kinds of measures to manage the situation. Community rooms sitting empty, we don't know what's going to go in there. What? Is this going to be an open space? No. We talk about training

of tenants, we talk about all kinds of training, job training, we talked about all kinds of activities going in that community room.

So that's another excuse. And the notion, you know, some of us have set in inclusionary housing project meetings for years and then suddenly public benefit is too remote when we talk about affordable housing, rental housing. Some of us talk about that our families, what families are going to be benefitting from that because they'd be gone. You know the trend is that most families, the children stay home for the most part. I mean I have two locally. One is going on 30, the other one is going on 24. I mean they're still hovering around home. Okay? So, and look, 15 years people is not an eternity. Ownership is not sacrosanct. Okay?

Near the lake you have a bunch of buildings there, walk ups, where there's not adequate parking around, some of them are turning condo and all kinds of stuff, people have survived. We can't even, we couldn't find that many units, that many parking spaces for people living on that side of town. Luckily we've been able to do so on this side of town. So, you know, I really think that behind our civility is really the

betrayal of one of the objectives and the principles that we say we stand for.

We say we stand for affordable housing. We ain't passing no ordinance that supports that. You know, we inch our way towards that. 27 units in that building. Does that mean everybody who's coming in there will be a criminal? I don't think so. Commercial space? We've got vacancies on Church and Dodge, we're not filling them. So I think that, you know, the fight for the TIF was a fight and you guys remember that. It was a fight, it was a political struggle to try to open up some direction and some possibilities and some opportunities. But when it came to a concrete project that a community group, ECDC fought for and who are the ECDC people?

At some point, Alderman Holmes was involved in it, at some point I was involved in it at some point Chief Logan is involved. Dino Robinson, various other people. Who have always opened up the process to those who are now opposed. Now I respect the opponents. I mean I appreciate Carlis' statement and I think it was heartfelt, it raised a lot of good issues. But at the same time people, the process of moving forward is not

about all or nothing. It is about compromise, it is about working through our issues, it is about ultimately, the principle.

Affordable housing, providing for those who have less resources in the community so that they could have a place to live. So I am totally surprised that the majority of Aldermen on the Council, at this point in time, behind all kinds of notions, have concluded that we can't afford this. I heard that a respectable person in the community say, we're creating, don't be coming in there creating a ghetto. You know. Look, this is about poor people. If it was a rich, $1500 a month, $2000 a month rental property going on there, we'd be the first to support it. I'm totally disappointed myself. Thank you.

ALDERMAN HOLMES: I'm really lost for words, so I'm just going to say that Alderman Jean-Baptiste did over what he said in terms of the disappointment, I respect and appreciate, I guess Alderman Bernstein, Alderman Rainey and Alderman Hansen by saying they wish they could support me. This project has never been about me. This project is about the people that I represent. And including the opponents and we went

through a long drawn out process, so I know that we represent the community, I know that this project is good for the community. Yes.

Is it perfect? No, it's not perfect. But it is a beginning and it could do a lot to begin to revitalize that area. We will continue to work with the opponents as well as those folk who are in support of whatever it is that's going to happen in the Church/Dodge area. But I hate that we pass this opportunity of being able to bring six million dollars into the city of Evanston for affordable housing and that we would miss an opportunity like that.

So I, on Friday, I believe one of the opponents asked, well what do you think about the Council? Where do you think they are? And I said at that time, I would never dream to speak for, nor had I made a call, nor will I ever make a call to ask anyone where there, how they're going to vote. Because if you're like me, you'll vote your conscience and you'll vote where you stand. But I would hate to think that once again the squeaky wheel gets the oil.

CHAIRMAN WYNNE: Thank you. I don't have any other names at this point, I think it's time for us to

have a motion. No Madam Mayor, I believe we can move to act on this. Yes. Alderman Rainey?

ALDERMAN RAINEY: Yes. I move to, god, I hate to do it this way. I move to accept the Plan Commission's recommendation that this planned unit development be denied.

ALDERMAN BERNSTEIN: Second.

CHAIRMAN WYNNE: All those in favor of the motion please indicate by saying aye.

ALDERMAN RAINEY: Aye.

ALDERMAN HANSEN: Aye.

ALDERMAN TISDAHL: Aye.

ALDERMAN BERNSTEIN: Aye.

CHAIRMAN WYNNE: All those opposed, please say. I think we're going to need a role call. Alderman Holmes?

ALDERMAN HOLMES: No.

CHAIRMAN WYNNE: Alderman Moran?

ALDERMAN MORAN: No.

CHAIRMAN WYNNE: Alderman Tisdahl?

ALDERMAN TISDAHL: Aye.

CHAIRMAN WYNNE: Alderman Rainey?

ALDERMAN RAINEY: Aye.

CHAIRMAN WYNNE: Alderman Hansen?

ALDERMAN HANSEN: Aye.

CHAIRMAN WYNNE: Alderman Wollin?

ALDERMAN WOLLIN: No.

CHAIRMAN WYNNE: Alderman Jean-Baptiste?

ALDERMAN JEAN-BAPTISTE: No.

CHAIRMAN WYNNE: Alderman Bernstein?

ALDERMAN BERNSTEIN: Aye.

CHAIRMAN WYNNE: The Chair votes aye. The motion passes 5 to 4. The recommendation of the Plan Commission to deny the application has passed. We are adjourned.

(Whereupon, the hearing in the above-titled cause was concluded at 8:50 p.m.)

City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com> Wed, Jan 11, 2023 at 2:31 PM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

formstack

Formstack Submission For: Land Use Commission Public Comment

Submitted at 01/11/23 3:31 PM

Name:	Carlis Sutton
Address of Residence:	1821 Darrow Avenue
Phone:	(847) 570-0047
How would you like to make your public comment?:	In-person
Provide Written Comment Here:	
Agenda Item (or comment on item not on the agenda):	C. Public Hearing 1801 Church
Position on Agenda Item:	Opposed

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City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com> Wed, Feb 8, 2023 at 4:30 PM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

formstack

Formstack Submission For: Land Use Commission Public Comment

Submitted at 02/08/23 5:30 PM

Name:	Charles Hayes
Address of Residence:	1822 Darrow Ave.
Phone:	(847) 570-0221
How would you like to make your public comment?:	Written (see below)
Provide Written Comment Here:	This development is not consistent to our community. Land Use Commission did not notify me, as a stakeholder who lives within 1000 feet of the proposed building. therefore I am requesting you deny the developer permission ton erect this building.
Agenda Item (or comment on item not on the agenda):	1801 Church St
Position on Agenda Item:	Opposed

[Quoted text hidden]

Questions for Applicant (1 of 5)

Concerns about Stormwater Management

1. What water and stormwater management studies have been performed?
2. Has the Metropolitan Water Reclamation District been consulted as to water and stormwater management?
3. When were the results of the Phase II environmental study provided to the public?
4. How is the complete coverage of the lot with impervious surface materials defensible?

Questions for Applicant (2 of 5)

Concerns about Historic Landmark

1. Please explain, with specificity, how HODC will prevent harm or damage to the historic landmark as a result of the variations?
2. Please explain, with specificity, how HODC will mitigate subsidence from the increased footprint at our historic landmark during construction?
3. What due diligence has HODC done to ensure that this development enhances our historic property?

Questions for Applicant (3 of 5)

Concerns about Height

1. Why is the land swap necessary?
2. Why was the height specified in the zoning code not sufficient?
3. What other alternatives have you considered relating to the size of the units?



Source: Mt. Pisgah Website
www.mtpisgahministry.org
(accessed 2/8/23 at 5:38 PM)

Questions for Applicant (4 of 5)

Concerns about Financial Disclosures

1. The proposal's cost is approximately $22 million, which puts the per unit construction cost at half a million. When alternatives have been discounted based on financial infeasibility, how is this per unit cost financially defensible?
2. Where will Mt. Pisgah receive its funding?
3. How far are the funds gathered for this project going to carry it? Will HODC be solely assuming responsibility for construction overages and the cost of managing the property?
4. Will HODC receive higher overall management fees as a direct result of building outside the existing zoning code.

Questions for Applicant (5 of 5)

Concerns about Density

1. What date and time was the parking study completed?
2. Who are the committed or prospective commercial tenants for ground-floor retail?
3. What alternatives to the loading zone have been considered?
4. What is HODC's tenant turnover rate at similarly situated properties?
5. How will HODC ensure safety of the loading zone given existing congestion in this area?

City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com> Wed, Feb 8, 2023 at 3:49 PM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

formstack

Formstack Submission For: Land Use Commission Public Comment

Submitted at 02/08/23 4:49 PM

Name:	Erin Jackson
Address of Residence:	1817 Church Street
Phone:	(847) 440-5028
How would you like to make your public comment?:	In-person
Provide Written Comment Here:	
Agenda Item (or comment on item not on the agenda):	1801-1805 and 1811-1815 Church Street
Position on Agenda Item:	Opposed

[Quoted text hidden]

City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com> Wed, Feb 8, 2023 at 2:43 PM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

formstack

Formstack Submission For: Land Use Commission Public Comment

Submitted at 02/08/23 3:43 PM

Name:	Haley Guion
Address of Residence:	1817 Church Street
Phone:	(847) 440-5028
How would you like to make your public comment?:	In-person
Provide Written Comment Here:	
Agenda Item (or comment on item not on the agenda):	1811-1815 Church Street
Position on Agenda Item:	Opposed

[Quoted text hidden]

City of Evanston

Michael Griffith <mgriffith@cityofevanston.org>

Fwd: Land Use Commission Public Comment

1 message

Meagan Jones <mmjones@cityofevanston.org> Thu, Jan 12, 2023 at 11:50 AM
To: Michael Griffith <mgriffith@cityofevanston.org>

FYI (if it wasn't already forwarded to you).

Meagan Jones
Neighborhood and Land Use Planner
Community Development
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8170 | 224-307-8350
mmjones@cityofevanston.org | cityofevanston.org

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From: <noreply@formstack.com>
Date: Wed, Jan 11, 2023 at 6:47 PM
Subject: Land Use Commission Public Comment
To: <mmjones@cityofevanston.org>, <kashbaugh@cityofevanston.org>, <mklotz@cityofevanston.org>

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Formstack Submission For: Land Use Commission Public Comment

Submitted at 01/11/23 7:47 PM

Name:	Hanna Lindroth
Address of Residence:	2018 Lake St., Apt. 1
Phone:	(773) 440-0399
How would you like to make your public comment?:	Written (see below)
Provide Written Comment Here:	Since I started working at 1817 Church Street, I have been charged with overseeing environmental sustainability for our office. I am only a Senior at ETHS, but I have taken a particular interest in climate science and have been studying and taking classes for many years. Last summer this led me to establish a vegetable garden on the patio of our office. I spent weeks researching, building the raised beds from scratch, hauling a bulk order of dirt from our alley to the beds with one tiny wheelbarrow (this part alone took me a week), and finally planting and growing our vegetables. We grew carrots, 4 kinds of tomatoes, 3 kinds of peppers, 2 kinds of lettuce, zucchini, basil, and sage. We donated everything we grew to the community fridge on Dodge, and our harvest was plentiful. This year I am planning to grow even more vegetables. This garden is a host to a variety of organisms including bees, butterflies, rolly pollies, worms, and all sorts of microorganisms we can't even see. Our patio has established its own little ecosystem, but this new building you plan to develop next door stands to threaten that. Our garden is located along the East wall of the patio and right now it receives full sunlight during the growing season. This amount of sunlight is necessary for almost every common vegetable, and our garden is useless without it. If this building is built five stories high, this area will be in the shade for most of the day and we will be unable to grow. This garden not only creates food for hungry mouths in Evanston, but it houses life in the soil and supports the life around it. I would be devastated if my time and energy were put to waste, but I would be more devastated if this life that Earth so generously helped me cultivate, was destroyed. If you have never owned a garden, you are missing out on something very special. Tending to plants gives me time to tend to myself. For a brief moment in the garden, you can escape all of the stress and pain that you feel and just be grateful for the most basic joys in life. This garden was the highlight of my summer, and I know everyone at our firm, and the surrounding community, appreciates its value. Will you?
Agenda Item (or comment on item not on the agenda):	the redevelopment of 1801-1815 Church Street

Position on Agenda Item:	Other: I am in favor of developing low-income housing, but it should not be directly next to our building and 5 stories high

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City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com> Wed, Feb 8, 2023 at 12:01 PM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

formstack

Formstack Submission For: Land Use Commission Public Comment

Submitted at 02/08/23 1:01 PM

Name:	John Fuller
Address of Residence:	5701 N. Sheridan Road, 4l
Phone:	(773) 443-1522
How would you like to make your public comment?:	In-person
Provide Written Comment Here:	
Agenda Item (or comment on item not on the agenda):	Church/Darrow
Position on Agenda Item:	Other:

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City of Evanston

Michael Griffith <mgriffith@cityofevanston.org>

Fwd: Land Use Commission Public Comment

1 message

Meagan Jones <mmjones@cityofevanston.org> Wed, Jan 11, 2023 at 6:41 PM
To: Michael Griffith <mgriffith@cityofevanston.org>

FYI

Meagan Jones
Neighborhood and Land Use Planner
Community Development
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8170 | 224-307-8350
mmjones@cityofevanston.org | cityofevanston.org

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Date: Wed, Jan 11, 2023 at 6:39 PM
Subject: Land Use Commission Public Comment
To: <mmjones@cityofevanston.org>, <kashbaugh@cityofevanston.org>, <mklotz@cityofevanston.org>

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Formstack Submission For: Land Use Commission Public Comment

Submitted at 01/11/23 7:39 PM

Name:	Katie Nawrocki
Address of Residence:	1817 Church Street
Phone:	(847) 440-5028
How would you like to make your public comment?:	Written (see below)
Provide Written Comment Here:	Written comments Objecting to the Major Redevelopment application for 1801-1815 Church Street: The owner and occupants of 1817 Church Street come forward with these comments in response to the proposed redevelopment of the property at 1811-1815 Church Street. Our property is directly adjacent to the proposed redevelopment. As active members of the Church and Dodge neighborhood and direct neighbors of the proposed redevelopment, we ask that the Land Use Commission and City Council consider our concerns. First, we express our support for the redevelopment in the spirit of its capacity to provide affordable housing for Evanston residents, an important goal of the City of Evanston. However, we also express our concern that the Major Redevelopment's approach will impact the neighborhood should the variations in the application be granted. 1. The Major Variations to existing height, setback, and architectural requirements will have a substantial adverse impact on the enjoyment and property value of the adjoining property, 1817 Church Street due to water drainage concerns, disruption of historical landmark architecture, and environmental impact. The Housing Opportunity Development Corporation (HODC) application requests several variations reducing the required setbacks and increasing the allowed impervious surface area of the lots to approximately 100%. We are concerned that allowing complete impervious coverage of the lot will exacerbate pre-existing water and drainage issues for the Church and Dodge neighborhood and, more specifically, our historic landmark property. The applicant's plan to store and release stormwater to the shared alley behind the redevelopment project and adjacent properties exacerbates that concern. Last year, we replaced our downstairs floors due to water damage and completed additional water remediation work to ensure the integrity of the historic building. Additionally, our building's ADA accessibility is via our rear entrance and ramp. This ramp down towards our back door will become flooded with water if the adjoining property becomes an entirely nonpermeable surface and stormwater is released into the alley. The Housing Opportunity Development Corporation application claims there is no substantial adverse impact (See Municipal Code 6-3-8-12 (E)) to adjacent properties and states that since variations such as setback relief are consistent with existing buildings, granting height relief will not block air and light from adjoining properties due to its shape. We ask that the Land Use Commission request the HODC to clarify the statement and provide evidence of the Major Variations being consistent with surrounding buildings in the neighborhood.

The building at 1817 Church Street is 3 stories. The Major Redevelopment – which proposes a 5-story building – will, without question, block air and light to the 1817 Church building, even with the proposed upside-down T-Shaped setback at the rear portion of the second story. This is a concerning adverse impact to 1817 Church and other adjacent properties in several ways, including disruption to light and the foliage on our property which requires that light, disruption of the historic landmark architecture of our building, environmental impact stemming from the size and bulk of the proposed redevelopment, and incompatible architecture with the surrounding buildings.

2. The Major Variations to existing height, setback, and architectural requirements does not keep in line with the intent of Evanston's Zoning Code, which include limiting the height and bulk of buildings erected to prevent overcrowding of land, establish, regulate, and limit setback lines along streets and property lines, and encourage the preservation and enhancement of natural resources.

Evanston's Zoning Code and Design Guidelines for developments are specifically intended to reduce the height and bulk of buildings to avoid overcrowding of land, respect existing buildings in terms of mass and scale, and complement the architectural styles of surrounding buildings. (Municipal Code 6-1-2, City of Evanston Design Guidelines for Planned and General Developments, pp. 8-26).

The Major Variations requested in HODC's application will result in a building that completely occupies its entire lot and, relative to the block, also occupies a substantial portion of the block between Dodge and Darrow Avenues. To put it more clearly, this will be a large, mid-rise building in a neighborhood consisting of low-rise commercial and small-scale residential buildings. Therefore, granting all of the Major Variations in HODC's application contravenes the City's stated intent.

3. The HODC asserts that the existence of vacant lots on a developed block qualifies as a peculiar characteristic. The existence of a vacant lots is not a peculiar or special characteristic warranting a Major Variation.

The HODC application relies on an argument that the vacant lots comprising a large portion of the redevelopment are a "particular peculiarity or special characteristic" under the Standards for Major Redevelopments (Municipal Code 6-3-8-12(E) preventing the proposed building from fitting in with the neighborhood and providing amenities if the project is built in compliance with zoning requirements. Additionally, HODC argues that compliance with zoning requirements reduces the positive impact the redevelopment will have on the community and that peculiar circumstances.

But HODC does not provide evidence or detailed reasoning on these conclusions and assertions that the existence of a vacant lot on a developed block qualifies as a peculiarity or special characteristic.

4. There is no evidence that the proposed development presents the least deviation from Evanston's current Zoning Code. Acceptance of all Major Variations is a substantial deviation from the existing requirements under the Code. A proposed development that requests some, but not all, of the 7 Major Variations would be more appropriate.

The HODC application claims that without the Major Variations, it will not have enough space for the amenities included in the proposed project. However, the applications do not provide concrete evidence for that conclusion, any specific characteristics of the property that prevent zoning compliance, or any convincing evidence that alternative compliant designs were considered and for which reasons they were abandoned.

HODC should provide additional details of other project versions that it deemed unsuitable and reasoning as to why the current Major Variations

are the best alternative.

5. The HODC asserts that one of the public benefits provided by the proposed redevelopment is affordable housing for low-income households. HODC does not explain why such a benefit requires a Major Variation or how it plans to keep the new residential units affordable.

Finally, the HODC application does not specify how affordable the housing will be in the buildings following redevelopment, other than that it will be "below market." While the definition of "affordable housing" referenced in HODC's application materials (Section F. ITE Trip Generation Data) includes all multifamily housing rented at below market rate to households with at least one employed member, merely pricing residential units at "below market" prices does not ensure that they are affordable to the members of the community that need such housing or that there is no financial incentive in allowing the variations. The City of Evanston Housing and Grants Division defines affordable housing as "residents having access to housing that cost less than 30% of gross income." HODC should provide written assurances and documentation as to how it will price the units in the redeveloped building to ensure that it provides truly affordable housing to Evanston residents.

We ask that the Land Use Commission grant a continuance of three months in order for us and other stakeholders to (i) discuss with the Housing Opportunity Development Corporation alternatives to Major Variations requested by the applicant, and (ii) present testimony that takes into account the materials submitted by Housing Opportunity Development Corporation ("HODC"), the applicant.
We understand that HODC has made documents regarding this publicly available no less than one week ago, and thus we request more time to consider this information.

Additional Questions and Points for Concern:
o Given the existence of the lot across from 1817 Church Street and the multitude of other lots, whether surface parking or truly vacant lots, throughout the 5th Ward, has HODC considered the benefits of developing multiple smaller-scale affordable housing offerings throughout the 5th Ward, rather than one single, large affordable housing complex at the proposed site? Would such an approach not offer: (a) opportunities for more rapid completion of some housing stock, (b) more architecturally diverse building opportunities, (c) opportunities to offer some of the units on a rent-to-own basis to improve opportunities for property ownership; and (d) greater opportunities for residents needing affordable housing to live throughout the Ward, rather than in one building?
o Has HODC considered partnering with an organization like Community Partners for Affordable Housing (CPAH) to provide affordable home purchase opportunities to local residents? CPAH is known to rely upon ETHS students' building trades training for some of their work -- including the nearly complete home near Emerson and Dodge -- and the proposed building site's proximity to the high school is a rare opportunity for unique collaborations.
o How much of the labor for the development will be sourced from within the 5th Ward and within Evanston?
o What are the plans for commercial tenants/occupants for the first-floor commercial spaces? While commercial spaces are valuable to the vibrance of an area, the current vacancy rate among commercial spaces in Downtown Evanston is concerning. Further, most business spaces are occupied and open for business throughout the Church/Dodge corridor now. How will HODC ensure that the new spaces will not be vacant, or if there are vacancies, how will they prevent those vacancies from detracting from the commercial corridor's currently vibrant nature?
o What is Mt. Pisgah's reason for relocating from their current location? Or, if they seek more space, what is their reason for not expanding onto the neighboring lot, which they also own, and thereby buffering other residents'

properties from the housing development that they and HODC propose?
o What is the reason for ensuring only 30 years of affordable rent in the proposed development?
o How does HODC plan to mitigate parking concerns in the area? Currently, patrons of local businesses can easily, and at no cost, find parking within a few strides of their destination.
o Has HODC considered the long-term impacts of building housing -- especially affordable housing -- on a site that has required EPA-mandated remediation? Are other building sites not more suitable, where residents' health could be better assured, and no known environmental hazards do now and have never existed on those sites? If EPA standards are heightened in the future, does this scale of development not preclude further remediation?
o Will the development be "green" in all possible ways?
o Did HODC consider an affordable transit-oriented development at an alternative site?
o What is the proposed duration of construction? How will noise and nuisance to nearby businesses be mitigated -- including to historic properties like that at 1817 Church, with 90-year-old windows, and to the nearby high school and residences?
o Does HODC intend to institute age requirements for residents of the development?
o Substantial activity on this project appears to have taken place without any updates to the City's website specifically addressing this project. Will HODC, Mt. Pisgah, and the City share any planning and communications that have transpired in the past few years during the time when the City's website has given the impression of nonactivity on this project?

Agenda Item (or comment on item not on the agenda):	Public Hearing: Special Use & Major Variation | 1801-1805 Church Street and 1708-1710 Darrow Avenue | 22ZMJV-0089
Position on Agenda Item:	Opposed

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Good evening. My name is Katie Nawrocki, and these comments to the Land Use Commission members are a summary of the written comments submitted on behalf of Crosby Theodore LLC, the owner of 1817 Church Street, and occupants of this property.

These comments summarize the written comments provided to the Land Use Commission in advance of this evening's hearing.

We ask that the Land Use Commission grant a **continuance of 3 months** in order for us to (i) discuss with the Housing Opportunity Development Corporation ("HODC") alternatives to Major Variations requested by the applicant, and (ii) present testimony that takes into account the materials submitted by the applicant. We understand that HODC made documents regarding this major development publicly available approximately one week ago, and thus we request more time to consider these documents.

As a threshold matter, we express our sincere support for the spirit of the proposed redevelopment given its capacity to provide affordable housing for Evanston residents. This is an important goal of the City of Evanston and the 5th Ward, and we have no objections to this goal. However, we also express our concerns that the approach of the redevelopment will adversely impact the neighborhood and our historic landmark should the Land Use Commission grant the Major Variations requested by the applicant.

Additionally, we note to the members that 1817 Church Street is a designated Historic Landmark. The building was constructed in 1927 and contains approximately 4,100 square feet of space. It has been used for both commercial and residential purposes. Its French Second Empire architectural styling contributed to its designation as a local landmark in 1996.

In sum, our concerns are as follows:

1. **The Major Variations to height, setback, and architectural requirements in the Zoning Code will have a substantial adverse impact on the use, enjoyment, and property value of the adjoining property, 1817 Church Street, due to concerns of water drainage and stormwater management, disruption of a historical landmark, and the loss of environmental resources.**

2. **The Major Variations to existing height, setback, and architectural requirements in the Zoning Code do not align with the intent of the Zoning Code, which includes (1) limiting the height and bulk of buildings erected to prevent overcrowding of land, (2) establishing, regulating, and limiting setback lines along streets and property lines, and (3) encouraging the preservation and enhancement of natural resources.**

3. **HODC maintains that the existence of vacant lots on a developed block qualifies as a peculiar characteristic. We agree that such vacant lots on a developed lot should be**

used for the benefit of the public, including for affordable housing; however, the existence of such vacant lots is not a peculiar or special characteristic warranting a Major Variation.

4. **We have not seen evidence that the proposed development presents the least deviation from Evanston's Zoning Code. Acceptance of all Major Variations is a substantial deviation from the existing requirements under the Code. Instead, a proposed development that requests some, but not all, of the 7 Major Variations may be more in line with this least deviation standard.**

5. **The HODC asserts that one of the public benefits provided by the proposed redevelopment is affordable housing for low-income households. HODC does not explain why such a benefit requires a Major Variation and cannot be accomplished without the 7 Major Variations requested.**

For the above reasons, we ask the Land Use Commission to **grant a continuance of 3 months** to allow us to (1) allow the parties to engage in a dialogue about alternatives to the Major Variations that would mitigate the adverse impact on the 1817 Church Street property and surrounding community, and (2) present testimony that takes into account the materials submitted by the applicant late last week.

Thank you for considering our comments.

City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com> Mon, Feb 6, 2023 at 10:57 PM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

formstack

Formstack Submission For: Land Use Commission Public Comment

Submitted at 02/06/23 11:57 PM

Name:	Kim Perutz
Address of Residence:	330 Greenwood Street
Phone:	(847) 507-9416
How would you like to make your public comment?:	Written (see below)
Provide Written Comment Here:	I support the land swap that would create 44 new affordable housing units and a new two-story building for the Mt. Pisgah Ministry on the vacant lot at Church And Darrow. This lot has long been vacant. This proposed project would do much to transform the area and importantly, would provide high quality affordable housing for Evanston residents, including much needed 2-bedroom and 3-bedroom apartments. I hope the Land use Committee will vote to approve this project.
Agenda Item (or comment on item not on the agenda):	Agenda item
Position on Agenda Item:	In Favor

[Quoted text hidden]

City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com> Mon, Feb 6, 2023 at 11:43 AM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

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Formstack Submission For: Land Use Commission Public Comment

Submitted at 02/06/23 12:43 PM

Name:	Lisa Pildes
Address of Residence:	2327 Park Pl
Phone:	(847) 712-2111
How would you like to make your public comment?:	Written (see below)
Provide Written Comment Here:	As a resident of Evanston for almost 50 years and as a property owner in the 5th ward, I support this project. It is an excellent use of Evanston's affordable housing dollars.
Agenda Item (or comment on item not on the agenda):	1811-15 Church St.
Position on Agenda Item:	In Favor

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City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com> Sun, Feb 5, 2023 at 5:27 PM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

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Formstack Submission For: Land Use Commission Public Comment

Submitted at 02/05/23 6:27 PM

Name:	Matthew Kowal
Address of Residence:	2541 1/2 Prairie Ave
Phone:	(872) 222-3635
How would you like to make your public comment?:	Written (see below)
Provide Written Comment Here:	I am writing in support of the 1811-1815 Church Street development project. Evanston is one of the few cities in the United States with many mixed-use, walkable neighborhoods, and this is what makes it such a desirable place to live and what gives it a strong sense of community. Our most prized neighborhoods, Central St, Main-Dempster, and Downtown to name a few, were all built in this style, and this new development project fits that pattern. The expansion of walkable, mixed-use areas should be seen as huge positive for Evanston, as they reduce vehicle usage, build a strong community fabric, and are financial powerhouses for the city from a tax perspective. Additionally, as we all know, there is a large housing shortage locally and nationally. Any new housing development is a step in the right direction, especially one that makes such efficient use of what is currently empty land. I encourage the LUC to approve this project as proposed, and to do everything it can to lower barriers for further developments of this type.

Agenda Item (or comment on item not on the agenda):	1811-1815 Church Street
Position on Agenda Item:	In Favor

[Quoted text hidden]

City of Evanston

Melissa Klotz <mklotz@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com> Mon, Jan 9, 2023 at 4:45 PM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

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Formstack Submission For: Land Use Commission Public Comment

Submitted at 01/09/23 5:45 PM

Name:	Muffy McAuley
Address of Residence:	830 Madison Street
Phone:	(847) 858-6066
How would you like to make your public comment?:	Written (see below)
Provide Written Comment Here:	A very similar, but smaller (27 units 4 floors) LIHTC funded rental was proposed by the same developer, HODC, for this site 13 years ago. It was rejected by the Plan Commission on the basis that it concentrated poverty in the fifth Ward. The residents of all 44 units can earn at a maximum, 30-60% of median income. It was rejected by the Zoning Board of Appeals on the basis that it had deficient parking, created too much additional traffic right across the street from the high school, that it would have a negative impact on the Church-Dodge business district and that it was too dense for for that corner. Such a development could be well absorbed in in the first, sixth or seventh wards, but not across from the high school in the fifth ward. This was rejected by every body of review in the City, including City Council in 2006. What has changed? High school is still there. Huge amounts of traffic coming to the transfer station is still a problem. There is still woefully inadequate parking in the neighborhood. And this will NOT create stakeholders in the neighborhood where that is exactly what is needed. Finally, the sheer volume of the project with no setbacks will be a veritable assault on the

corner of Church and Dodge. It was a terrible project in 2006 and it is a worse project in 2023.

Agenda Item (or comment on item not on the agenda):	1811-15 Church Street 22ZMJV-0092
Position on Agenda Item:	Opposed

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City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Support for Mt. Pisgah development

Phyllis Nickel <phyllisnickel46@gmail.com> Wed, Feb 8, 2023 at 10:11 AM
To: "mmjones@cityofevanston.org" <mmjones@cityofevanston.org>

Dear Ms. Jones,

What an incredible opportunity is before us. Add critically needed units of affordable housing, make use of limited land, add to the tax role, AND begin to fulfill the council's number one priority of addressing the affordable housing crisis in Evanston!

Before the city is a chance to 44 affordable units, including large ones for families, on city land, attractively designed with consideration of environmental impacts. Let's not delay! HDOC is a worthy and reliable developer, ready to move ahead with this important project. Send this on to city council and get the ball rolling.

Evanston resident for 45 years and strong supporter of affordable housing,
Phyllis Nickel

City of Evanston

Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com> Wed, Feb 8, 2023 at 5:08 PM
Reply-To: noreply@formstack.com
To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org

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Formstack Submission For: Land Use Commission Public Comment

Submitted at 02/08/23 6:08 PM

Name:	Wynn Graham
Address of Residence:	2430 Central Park Ave
Phone:	(847) 757-8596
How would you like to make your public comment?:	Written (see below)
Provide Written Comment Here:	Written comment: As an advocate of more affordable housing in Evanston I urge you to grant the zoning variations requested for the project. The new building will provide 44 dwelling units, intended to be affordable, and most remarkably will provide one, two, and three bedroom options. This is the type of additions we need to the housing stock in Evanston. This project has been thoughtfully planned: please expedite the zoning so its development can begin.
Agenda Item (or comment on item not on the agenda):	Major Variations 1811-1815 Church Street, 22ZMJV-0092
Position on Agenda Item:	In Favor

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