ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Andrea Giuffre/DBA Jack and Ginger's Dog Care, Inc. **CAL NO.:** 214-14-S

APPEARANCE FOR: Same **DATE OF MEETING:** June 20, 2014

APPEARANCE AGAINST: None

PREMISES AFFECTED: 5111 N. Lincoln Avenue

NATURE OF REQUEST: Application for a special use under Chapter 17 of the Zoning Ordinance for the approval of the establishment of a canine daycare, grooming and overnight boarding facility.

ACTION OF BOARD-
APPLICATION APPROVED

THE VOTE

SEP 09 2014
CITY OF CHICAGO

	AFFIRMATIVE	NEGATIVE	ABSENT
JONATHAN SWAIN	X		
CATHERINE BUDZINSKI	X		
SOL FLORES			X
SHEILA O'GRADY	X		
SAM TOIA			X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 18, 2014, after due notice thereof as provided under Section 17-13-0107B and by publication in the Chicago Sun-Times on June 5, 2014; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; the applicant shall be permitted to establish a canine daycare, grooming and overnight boarding facility ;expert testimony was offered that the use would not have a negative impact on the surrounding community and is in character with the neighborhood; further expert testimony was offered that the use complies with all of the criteria as set forth by the code for the granting of a special use at the subject; the Board finds the use complies with all applicable standards of this Zoning Ordinance; is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of neighborhood or community; is compatible with the character of the surrounding area in terms of site planning and building scale and project design; is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and is designed to promote pedestrian safety and comfort; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s): The Department of Planning and Development recommends approval of the proposed canine daycare, grooming and overnight boarding facility.

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued

APPROVED AS TO SUBSTANCE

ZONING BOARD OF APPEALS
CITY OF CHICAGO

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888

Chicago Cubs Baseball Club, LLC
APPLICANT

216-14-S
CALENDAR NUMBER

3900 N. Rockwell Street
PREMISES AFFECTED

June 20, 2014
MINUTES OF MEETING

David Reifman
APPEARANCE FOR APPLICANT

Ald. Pawar & Others
OBJECTORS

NATURE OF REQUEST

Application for a special use to establish 1000 off-site, non-required accessory parking spaes.

ACTION OF BOARD

The application for the special use is approved subject to the conditions specified in this decision.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	x		
Catherine Budzinski	x		
Sol Flores	x		
Sheila O'Grady	x		
Sam Toia	x		

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on June 20, 2014, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. David Reifman counsel for the Applicant, summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; that on December 11, 2013, the City Council adopted an amended ordinance commonly known as the Night Game Ordinance ("Ordinance"); that the Ordinance governs night games, events and other matters at Wrigley Field; that the Ordinance calls for the Applicant to operate one or more remote parking lots with a combined minimum capacity of 1000 vehicles no more than five (5) miles from Wrigley Field; that the Applicant identified the subject property as being an appropriate location for this remote parking; that since 2004, the Applicant has operated a remote parking lot at DeVry University but that the DeVry University parking lot is no longer available to the

APPROVED AS TO SUBSTANCE

Applicant; that the DeVry University parking lot was well-run with no complaints, and the Applicant anticipates the same at the subject property; that the Applicant believes it does not need a special use to operate a non-required accessory parking lot at the subject property and does not waive said argument in appearing before the Board; that the Applicant has entered into a license agreement with the owner of the subject property and the Applicant requests that the special use be tied to the term of said license agreement; and

WHEREAS, Mr. Carl Rice testified on behalf of the Applicant; that he is vice-president of ballpark operations for the Applicant; that part of his responsibilities are to oversee selection and operation of the remote parking lot; that he is very familiar with both the subject property lot and the surrounding neighborhood; that the subject property fulfills most of the Applicant's requirements in that the parking lot could fit 1000 cars, has direct access to Irving Park Road, and has accessibility to the expressways; that the Applicant can no longer use the DeVry University parking lot for its parking due to DeVry's own parking needs; that the Applicant will not use the subject property on a daily basis; that instead, the Applicant's use of the lot is limited to regular night season games and events, regular season games on weekends and holidays, all-star games, post-season games, and other special events (collectively "events") at Wrigley Field; that in total, the Applicant would use the subject property about sixty-five (65) times per year; that when the subject parking lot is used by the Applicant, it will not be for a full, twenty-four (24) hour period; that instead, the Applicant will use the parking lot for four to six hours per event; that the Applicant's license agreement with the owner of the subject property forbids tailgating; that the Applicant has on-site security present on the subject property to enforce this prohibition; that the Applicant's license also allows for the historic uses of the parking lot such as the Boys and Girls Club Carnival, fire department events, and the annual breast cancer walk to continue; that people visiting Revere Park will continue to be able to use the subject parking lot; that the Applicant has been using the subject parking lot since the beginning of the 2014 baseball season and has experienced no conflict between its use of the lot and other uses of the lot; that the City has placed signs on Irving Park Road, Western Avenue, Addison Street and California Avenue to direct cars to the subject property; that the Applicant has advertised the subject property to fans; that there is no charge to use the lot; that the Applicant provides buses to and from Wrigley Field free of charge; that although the parking lot can accommodate up to 1000 cars, the Applicant's average use of the lot has been about 300 cars per event; that the highest number of cars at any given time has been 538 cars; that the Applicant has developed written standard operating procedures for the subject parking lot; that these written standard operating procedures govern parking lot staffing, clean-up, patrol and security, flow and logistics for both passenger vehicles and buses, as well as background checks and safety training of bus drivers; that the City's Department of Transportation ("CDOT") has reviewed and approved these written standard operating procedures; that the subject parking lot is staffed with parking attendants; that when entering the parking lot, a car is directed by parking attendants; that cars are generally directed east of Rockwell, facing west so that they are parked away from the residential neighborhood on Campbell Avenue; that the lot includes portable bathrooms; and

WHEREAS, in response to questions by the Board, Mr. Rice further testified that cars are generally parked east of Rockwell Street; that the trucks in the subject parking lot are west of Rockwell Street in an area of the parking lot not utilized by the Applicant; that the Applicant can expand west of Rockwell if it needs to utilize all 1000 spaces but there has been no need to do so yet; that the Garoon Family will move the trucks once the Applicant reaches the 1000 car capacity; that the parking lot can accommodate 850 cars without the trucks moving; that the Applicant bases the need for spaces on its ticket sales and thus would know if it needed 1000 spaces well in advance of the actual event; that game day ticket sales do not have a significant impact on the Applicant's use of the parking lot; and

WHEREAS, Mr. Rice further testified that the last shuttle bus leaves Wrigley Field approximately sixty (60) minutes after the completion of an event; that the parking lot is accessible even if people miss this last bus; that the license agreement allows the Applicant to tow cars if they are left at the parking lot for more than two (2) hours following events; that this has not yet been a concern, and no cars have been towed; that the Applicant has met with the community four (4) times regarding this and other concerns; that in order to address concerns of the community, the Applicant provides traffic management personnel at the Applicant's expenses at the intersection of Irving Park Road and Rockwell at every event; that the Applicant will have no regular entrance to the parking lot off of Campbell Avenue; that the only entrance during event parking is on Rockwell Street; that the Applicant agrees to provide portable lighting to the parking lot to ensure safe, efficient exits after events; that the Applicant has moved the portable toilets closer to Rockwell Street and away from residential areas; that the Applicant's cleaning crews will pick up and dispose of trash in and around the parking lot after every event; that the Applicant has provided vinyl wind screens on the existing fence surrounding the parking lot to provide screening; and

WHEREAS in response to further questions by the Board, Mr. Rice further testified that the parking lot is open two (2) hours prior to an event starting; that the Applicant provides security to the lot so long as there are cars in the lot; that this has been up to four hours after an event; that although the Applicant can tow after two (2) hours after an event has ended, in the case of cars remaining four (4) hours after an event, it was just one car and the Applicant made the determination it would tow the car the following morning; that the owner of the car came and picked up the car before that period; that a car would probably be towed if after an event, the owner of the lot called and requested a car's removal or if the Applicant arrived the day after an event and saw a car still in the parking lot; that all security at the subject property for the Applicant's events is hired by the Applicant; that security cameras installed in the parking lot are operational twenty-four hours a day, seven days a week; that the Applicant ensures that at least one off-duty law enforcement officer is in the parking lot at all times the Applicant uses the parking lot; that all security personnel in the lot have the ability to address the problem of intoxicated fans; that he does not know how often the portable toilets are cleaned; that it would not be a problem if the Board required the portable toilets to be cleaned after every event; that signage is posted throughout the lot saying tailgating is not permitted; that the Applicant also posts this prohibition on tailgating to its website; that all drivers enter on

Rockwell Street, park their vehicles, load onto the bus, and then the bus will go back out of the lot via Rockwell Street; and

WHEREAS, Mr. Mark de la Vergne testified on behalf of the Applicant; that his credentials as an expert on traffic engineering were acknowledged by the Board; that he has physically inspected the traffic at the subject property and surrounding area; that his findings are contained in his report on the traffic operations and safety of the subject property; his report was submitted and accepted by the Board, and he orally testified to the following: (1) the only access to the subject parking lot is provided on Rockwell Street; (2) that to access Rockwell Street, one must turn off of Irving Park Road at a signaled intersection; (3) that the Applicant's traffic management personnel direct traffic post-event so all vehicles exiting the parking lot must travel west on Irving Park Road; (4) that his analysis of traffic operations in the area used projected volumes of 1000 cars; (5) that the analysis demonstrated the only noticeable delay due to the volume of cars was on Rockwell; (6) that therefore only the Applicant's fans exiting the parking lot would experience any sort of traffic delay; (7) that after comparing traffic at the intersection of Irving Park and Rockwell between 2013 and 2014, the traffic numbers for 2014 is slightly lower than 2013; (8) that consequently, the special use will not have a significant impact on the general welfare of the neighborhood, is compatible with the character of the surrounding area in terms of traffic generation, and is designed to promote pedestrian safety; and

WHEREAS, in response to questions by the Board, Mr. Rice further testified that the Applicant has not previously experienced a problem with cars honking; that honking was not a problem in the years the Applicant utilized the DeVry parking lot; and

WHEREAS, in response to questions by the Board, Mr. de la Vergne further testified that although there will be delays leaving the parking lot, the Applicant will not be impacting traffic on Irving Park Road; that five (5) traffic management authority personnel ("TMAs") are more than enough to control one intersection; that the City's Office of Emergency Management and Communication ("OEMC") assigns the TMAs; and

WHEREAS, Mr. Rice further testified that the TMAs assigned to this parking lot receive specific training in getting cars in and out of the parking lot; that for the most part, the Applicant receives the same TMAs every game; and

WHEREAS, Mr. Lawrence Okrent testified on behalf of the Applicant; that his credentials as an expert in land planning were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in the Zoning Ordinance which must be addressed in support of such an application, and he orally testified that the proposed special uses: (1) complies with all applicable standards of the Zoning Ordinance; (2) is in the interest of the public convenience and will have no adverse impact on the surrounding neighborhood as the proposed special use is much less

intense than what could be done as of right under the current zoning of the subject property and as the proposed special use is limited to sixty-five (65) events per year; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design because it will be utilizing an existing parking lot in an active industrial area; (4) is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation due to the Applicant's rigorous control over the parking within the subject parking lot, especially the manner of ingress and egress; (5) and will promote pedestrian safety and comfort due to the Applicant's carefully devised operational plan for safety and parking management; and

WHEREAS, Alderman Tunney testified in support of the application; that the unique thing about Wrigley Field is its lack of large parking structures close to the ballpark; that the proposed special use is therefore a long-range plan worked out by a blue ribbon committee of representatives from the 47th Ward, the 32d Ward, the 46th Ward, and the 44th Ward; that other parking lots run by the Applicant are very well-run; that, therefore, he has no reason to doubt the Applicant's ability to run a parking lot at the present location; and

WHEREAS, Mr. Eric Friend, of 4343 N. Clarendon, Mr. Dave Kostelansky, of 244 E. Pearson Street, Ms. Trudie Acheatel, address unknown, and Mr. Phillip Grinstead, address unknown, all testified in support of the application; and

WHEREAS, Alderman Pawar testified in opposition to the application; that the Applicant had no plan of operation or anything else to show the community until the Alderman and the other objectors demanded to see such plan of operation; that although the subject property is zoned for manufacturing and is located in the Addison industrial corridor, the surrounding neighborhood is primarily residential and an additional 300 to 1000 cars will have a deleterious impact on property values as well as a negative impact on safety; that the Applicant has not been a good partner in its establishment of the parking lot or in its negotiations with the community; that although the community wishes the Applicant success in its renovations to Wrigley Field, the Applicant is no more important than any one Chicago neighborhood; and

WHEREAS, Ms. Liz Uligian, of 2434 West Byron, testified in opposition to the application; that she is a wife and a mother and has lived at her address for about nine years; that she overpaid for her home so she could live in the neighborhood; that the proposed special use does not meet the necessary criteria for a special use, in particular criteria 2, 4 and 5; that the parking lot will be used at least seven hours per event, given the average length of a baseball game; that this will be a substantial change in the use of the lot since the lot is not generally used; that there is not a good relationship between the lessor and lessee of the lot, especially as there is no clear procedure as to which party will tow cars or repair the lot; that the subject parking lot is littered with trash after games; that the patrons of the parking lot use inappropriate language; and

WHEREAS, Ms. Carol Rich, of 2454 W. Byron, testified in opposition to the application; that the hours of operation of the subject parking lot are not compatible with the neighborhood; that she gets up at 4:30 AM to be at work and the parking lot will operate until 12:30 AM to 2:00 AM, depending upon the event; that if the special use is granted, it means the Applicant does not have to abide by the same rules as everyone else; and

WHEREAS, Mr. Todd Cywinski, of 2455 W. Byron, testified in opposition to the application; that the subject parking lot is already causing significant negative impact on the neighborhood; that the parking lot is very close to residences with children; that the subject lot is causing an intrusion in the neighborhood due to honking cars, car alarms, doors slamming, and loud people; that the Garoon Family's trucks are still utilizing the parking lot; that there is no way this parking lot can be operated safely or efficiently; that he agrees the Applicant needs parking lots but believes these parking lots should be put in actual industrial areas not in residential neighborhoods; and

WHEREAS, Ms. Meredith Cywinski, of 2455 W Byron, testified in opposition to the application; that any plan of operation for the subject parking lot presented by the Applicant only occurred because of community outcry; that when the parking lot first opened, the shuttle buses idled on Campbell Avenue despite Illinois' no idling policy; that the portable toilets were originally placed near Campbell Avenue alongside the entrance to Revere Park; that the lot will mostly be utilized during a high-crime time of night; that cars are often still in the lot until 11:00 AM the next morning after a game or event; that people come in whenever they want to retrieve their cars; that the Applicant has previously shown its inability to see past its own motivations and that is detrimental to community safety; and

WHEREAS, Mr. Paul Rosenfeld, of 2428 W. Dakin, testified in opposition to the application; that there are many children in the neighborhood and the Applicant wants to put 1000 cars into the area; that the Applicant has only made any of its safety concessions due to media scrutiny; that it is a dangerous combination to have a group that doesn't want to operate in a professional manner in an area surrounded by children; and

WHEREAS, Ms. Sarah Wunder, of 2425 W. Berteau, testified in opposition to the application; that she set up an online petition against the application; that the online petition garnered over 300 signatures; that when a person lives in Wrigleyville, a person signs up for the Applicant's traffic; that she has left Wrigleyville and does not expect to deal with the Applicant's traffic; and

WHEREAS, Ms. Michelle Meyer, of 2433 West Byron, testified in opposition to the application; that she is concerned about increased traffic as well as potential drunken drivers in the area; that there has been increased traffic on her street due to the Applicant's use of the lot and increased street parking that she also believes is due to the Applicant's use of the lot; that she is here for the welfare of the neighborhood's children; and

WHEREAS, Mr. Jeff Rich, of 2454 West Byron, testified in opposition to the application; that he opposes the application due to the Applicant's lack of planning and lack of execution; that the Applicant prepared no safety plan; that the proposed special use will have negative impact on the general welfare of the neighborhood; and

WHEREAS, Ms. Julie Hobert, of 2037 W Bradley, testified in opposition to the application; that she is the president of the Northcenter Neighborhood Association; that the proposed special use should go in a real industrial neighborhood; and

WHEREAS, in response to questions by the Board, Alderman Pawar further testified that Revere Park has been there for many decades; that the use of the subject property has been industrial for at least forty (40) years; that at one point, there was heavy industrial use in the neighborhood but that the subject property has been dormant for about three to four decades; that the residential district to the east has some homes that are over ninety (90) years old; that to the south of the subject property, there is an industrial corridor; that there was probably heavy tension in the past between the industrial and residential uses of the area; that standard industrial use of the property is not the same as the proposed special use; and

WHEREAS, in response to questions raised by Objectors, Mr. Rice confirmed that people who use the subject parking lot can walk to Wrigley Field if they so wish, though few have wished to do so; that the subject property is approximately 2 ½ to 3 miles away from Wrigley Field; that the Applicant could put up signs saying people must take the shuttle buses but that it would be difficult to actually enforce such a mandate as other people – including visitors to Revere Park – use the lot concurrently with the Applicant; that the Applicant has worked with the bus company it uses to stop its drivers from idling; that although the Applicant originally had blue police barricades to keep parkers from going onto the residential side streets, the City or other persons unknown have removed those police barricades from the subject property; that the Applicant is in the middle of the process of receiving more police barricades; that although the Applicant could use its own barricades, most people respect police barricades more; that operationally, it is more efficient to have one large lot than have multiple smaller lots as smaller lots fill up faster and those utilizing the lot might have to drive to multiple lots before finding a parking space; that the Applicant tries to make patrons of the lot behave in an appropriate manner; that the Applicant has thought about moving the buses away from Revere Park to make its parking operations safer for children; that the Applicant has not thought of putting up a buffer between its parking lot and Revere Park; and

WHEREAS, in response to the Board's questions about the acceptability about certain operational conditions, Mr. Reifman stated that some things – such as a permanent masonry wall around the perimeter of the parking lot – would not be something the Applicant could provide; and

WHEREAS, in response to further questions from the Board, Mr. Rice further testified that the Applicant's license with the Garoon Family specified that the Applicant is required to begin parking in the lot east of Rockwell; that only if there is overflow does

the Applicant have the ability to go west of Rockwell; that the Garoon Family made such a condition due to the Garoon Family still using the west part of the lot for its trucks; and

WHEREAS, in response to further questions by the Board, Mr. Reifman stated that the Applicant was willing to discuss the issue further with the Garoon Family but did not wish to continue the hearing; that the Applicant wished to proceed with its application with the parking lot operations as they were currently specified in the license agreement; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the proposed special use provided the development is established consistent with the design, layout, materials dated April 30, 2014 and subject to the license review between the Applicant and the Garoon Family, L.P., dated January 8, 2014 and amended June 11, 2014; and

WHEREAS, the staff of the Department of Planning and Development further recommended approval of the proposed special use provided that: (1) all ingress and egress to the parking lot be restricted to North Rockwell Street; (2) all vehicles exiting the parking lot from North Rockwell Street be required to turn west only onto West Irving Park Road; (3) the parking lot's secondary exit onto North Campbell Street only be used in the event of an emergency; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings with reference to the Applicant's application for the special uses pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;

2. The proposed special use is in the interest of the public convenience. Further, the proposed special use will not have an adverse impact on the surrounding neighborhood because the proposed special use is a much less intense use than what could be done under the current zoning as of right and because the Applicant will only use the subject property sixty-five (65) times per year;

3. The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because it will be utilizing an existing parking lot;

4. The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because the Applicant will rigorously control parking within the subject parking lot.

5. The proposed special use is designed to promote pedestrian safety and comfort due to the Applicant's carefully devised operational plan for safety and parking management.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special use subject to the following conditions, pursuant to the authority granted by Section 17-13-0906 of the Chicago Zoning Ordinance:

1. Towing must occur for any cars left two (2) hours after the ending of the particular event at Wrigley Field;

2. The staff of the parking lot must clean up litter in the parking lot and on Campbell;

3. There shall be no idling of buses at any time on the parking lot;

4. Bus loading cannot be adjacent to Revere Park;

5. Barricades must be placed on side streets adjacent to the Rockwell location at Western to prevent possible parkers going the wrong way; that said barricades shall be staffed by Applicant's personnel;

6. The portable toilets shall not be placed on the Campbell Avenue side of the parking lot or anywhere near Revere Park;

7. The portable toilets shall be cleaned after every event;

8. The term of the special use shall run for the term of the existing license as stated in the current agreement between the Applicant and the Garoon Family, LP;

9. The Applicant shall create a landscape buffer zone to separate the parking lot from the residential use on Campbell Avenue and from Revere Park; said landscape buffer zone shall have trees with a minimum height of 7' and a minimum caliper size of 4".

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

ZONING BOARD OF APPEALS
CITY OF CHICAGO

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888

Chicago Piccolo Guiliner, Inc.
APPLICANT

217-14-S & 218-14-S
CALENDAR NUMBERS

1100 W. Randolph Street
PREMISES AFFECTED

June 20, 2014
MINUTES OF MEETING

John George
APPEARANCE FOR APPLICANT

John Dixon
OBJECTOR

NATURE OF REQUESTS

Application for a special use to establish a temporary residential use below the second floor of an existing two-story building.

Application for a special use to establish a 7-bed, temporary group living residence in an existing two-story building.

ACTION OF BOARD

The applications for both special uses are approved subject to the condition specified in this decision.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	x		
Catherine Budzinski	x		
Sol Flores	x		
Sheila O'Grady	x		
Sam Toia	x		

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on June 20, 2014, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. John George, counsel for the Applicant, summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; that the subject property is currently improved with a vacant two-story building; that the Applicant is seeking two special uses: (1) a special use to establish residential use on the first floor; and (2) a special use to establish a group living facility; that the Applicant needs such special uses to film a documentary-style show entitled *Real World*; and

APPROVED AS TO SUBSTANCE
CHAIRMAN

WHEREAS, Mr. Jeff Keirns testified on behalf of the Applicant; that he is the executive producer of the Applicant; that he is familiar with the subject property; that the building will be converted into a temporary group living facility in which seven (7) individuals will come and live; that these seven (7) individuals will learn about each other and explore the City of Chicago; that these seven (7) individuals will be filmed; that the filming crew is a low-impact television crew; that the crew does not use large trucks or generators; that each filming crew is comprised of five (5) people with a producer; that every filming location is planned ahead as each filming location requires written consent; that the Applicant has leased the subject property; that the term of the lease is five (5) months; that filming of the documentary will last twelve (12) weeks; that while seven (7) people will live at the subject property, there will be approximately fourteen (14) people working as part of the production crew; that the maximum amount of people at the subject property at any given time would be twenty-two (22) people; that the seven (7) people living at the subject property are vigorously screened with numerous personal interviews, psychological checks, background checks, and drug tests; that the seven (7) people will not have cars and will use public transportation or taxis; that the building has approximately twenty-four (24) surveillance cameras for security; that these security cameras are monitored by the producers and production staff; that both the production staff and the producers are trained in using the surveillance cameras; that these cameras are used for both storytelling and security monitoring purposes; that people not part of the production will be asked to leave the premises; that the production will have on-site security in the evenings between the hours of 7:00 PM and 4:00 AM; that during the day, the production will rely upon the police if people do not leave the premises; that although the seven (7) individuals may invite people to the premises, these people must be approved by the producers; that the seven (7) individuals are limited to one guest at a time; that the seven (7) individuals are not allowed to have parties on the premises and are limited as to what they may do in the building; that the Applicant has had extensive conversations with members of the neighborhood business community and that the business community is very excited as to the Applicant's presence in the neighborhood; that the Applicant has also had discussions with Alderman Burnett and the Chicago Film Office; that unlike such programs as *Chicago Fire*, the Applicant does not close off streets for filming although the Applicant will need to load and unload equipment; and

WHEREAS, Mr. Lawrence Okrent testified on behalf of the Applicant; that his credentials as an expert in land planning were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in the Zoning Ordinance which must be addressed in support of such an application, and he orally testified that the proposed special uses: (1) comply with all applicable standards of the Zoning Ordinance; (2) are in the interest of the public convenience and will have no adverse impact on the surrounding neighborhood; (3) are compatible with the character of the surrounding area in terms of site planning and building scale and project design because they will be utilizing an existing building; (4) are compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation,

outdoor lighting, noise, and traffic generation; (5) and will promote pedestrian safety and comfort; and

WHEREAS, Mr. John Dixon, of 155 N. Aberdeen Street, testified in opposition to the application; and

WHEREAS, the Board allowed a short recess so that the Applicant and Mr. Dixon could privately discuss Mr. Dixon's opposition to the application; and

WHEREAS, when the Board resumed the hearing, Mr. George explained that the Applicant and Mr. Dixon had resolved Mr. Dixon's objections to the application; that one of Mr. Dixon's concerns involved trees that had been removed in front of his property; that the these trees had been removed by the City because they had ash bore disease; that the trees were scheduled to be replaced by the City; that the Applicant had agreed to not park any production vehicles on Aberdeen Street; that the Applicant would use its best efforts to curtail nighttime noise at the subject property; that the Applicant had agreed to put the commitments regarding no parking on Aberdeen Street and the night noise generation at the subject property on the record; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the proposed special uses provided the development is established consistent with the design, layout, materials and plans prepared by Chicago Story Piccolo Guliner, Inc., and dated June 12, 2014; now, therefore,

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings with reference to the Applicant's application for the special uses pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. The proposed special uses comply with all applicable standards of this Zoning Ordinance;

2. The proposed special uses are in the interest of the public convenience because they will be repurposing a vacant property and will provide a positive impact on the general welfare of the neighborhood;

3. The proposed special uses are compatible with the character of the surrounding area in terms of site planning and building scale and project design because the proposed special uses will be utilizing an existing building;

4. The proposed special uses are compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because the Applicant will strictly monitor the people allowed on the subject property.

5. The proposed special uses are designed to promote pedestrian safety and comfort because no large trucks, street closures, or generators will be used in the filming.

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special uses subject to the following condition, pursuant to the authority granted by Section 17-13-0906 of the Chicago Zoning Ordinance:

1. The specials uses shall be temporary and shall expire November 30, 2014.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

ZONING BOARD OF APPEALS
CITY OF CHICAGO

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888

Pathways in Education - Illinois
APPLICANT

227-14-S
CALENDAR NUMBER

3124 W. 47th Street
PREMISES AFFECTED

June 20, 2014
MINUTES OF MEETING

Mike Castollino
APPEARANCE FOR APPLICANT

Ilse Strick
OBJECTOR

NATURE OF REQUEST

Application for a special use to establish a high school.

ACTION OF BOARD

The application for the special use is approved subject to the condition specified in this decision.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	x		
Catherine Budzinski	x		
Sol Flores	x		
Sheila O'Grady			x
Sam Toia	x		

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on June 20, 2014, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Sun-Times*; and

WHEREAS, Mr. Mike Castollino, counsel for the Applicant, summarized the facts of the history of the affected property and explained the underlying basis for the relief sought; that the Applicant is contracted by the Chicago Public Schools to provide an alternative learning opportunities program; that the subject property is currently improved with a one-story vacant building formerly occupied by a post office; and

WHEREAS, Mr. Vrej Boghokian testified on behalf of the Applicant; that he is the director of school implementation for the Applicant; that the alternative learning opportunities program was created by the Chicago Public Schools to re-engage students that have either dropped out or are at the risk of dropping out of high school; that the Applicant will provide a contract school not a charter school on the subject property; that

APPROVED AS TO SUBSTANCE
CHAIRMAN

any student graduating from the Applicant's school will receive a diploma from the Chicago Public Schools; that the Applicant is interested in the subject property because of its access to public transportation and because the open space within the building can be easily reconfigured into classrooms; that the Applicant's enrollment is capped at 300 students; that the Applicant will have two sessions per day (an AM session and a PM session), and all students will not attend every day; that approximately 60% of the Applicant's students will attend the AM session while 40% of the Applicant's students will attend the PM session; that approximately 80% of the students will use public transportation; that the rest of the students will either walk or ride bikes; that the Applicant will have a bike rack for those students that bike; that a CTA bus stop and a CTA Orange Line stop are very near the property; and

WHEREAS, Mr. Greg Manson testified on behalf of the Applicant; that he is the assistant principal of the Applicant's proposed school at the subject location; that the Applicant works closely with the Chicago Public Schools to identify and help at-risk students; that the Applicant has flexible scheduling for its students, which helps teen parents; that the Applicant also offers workshops and counseling for its students; that the Applicant has reached out and has good relationships with neighborhood associations, even neighborhood associations not near the subject property as the Applicant's students are not limited to one geographic location; that the Applicant intends to do significant improvements to the exterior of the building as well as doing a substantial interior buildout; and

WHEREAS, Mr. Doug Roe testified on behalf of the Applicant; that his credentials as an expert in appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in the Zoning Ordinance which must be addressed in support of such an application; that he then orally testified to that the proposed special use: (1) complies with all applicable standards of the Zoning Ordinance; (2) is in the interest of the public convenience and will have no adverse impact on the surrounding neighborhood as schools do not lower prices to surrounding properties; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the proposed special use will be utilizing an existing building; (4) is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; (5) and will promote pedestrian safety and comfort; and

WHEREAS, in response to questions by the Board, Mr. Boghokian further testified that the Applicant will have a safety plan and emergency lockdown procedures; that the Applicant does not always start with a security guard on-site although some of its schools do have them; that this the Applicant's first school in this community; that the Applicant always uses 3-M security film in its schools; that he is not sure if the subject property is on the safe passage route; and

WHEREAS, in response to further questions by the Board, Mr. Manson also testified that he did not know if the subject property is on the safe passage route; that the Applicant does operate with the Chicago Public Schools; that he will look into speaking with the other area schools about the safe passage routes; and

WHEREAS, Ms. Ilse Strick, of 3132 W. 47th Street, testified in opposition to the application; that she lives across from the subject property; that she is concerned that people will park in her private parking lot; that her private parking lot is behind her building on Troy Street; that she is also concerned about gang activity and the truck traffic on 47th Street; and

WHEREAS, Mr. Manson testified that the Applicant would not be using Ms. Strick's private parking lot; and

WHEREAS, the Board expressed its concerns regarding the Applicant's lack of knowledge of the safe passage routes as well as the Applicant's lack of interaction with the neighborhood; and

WHEREAS, in response to the Board's concerns, Mr. Boghokian further testified that the Applicant's first procedure when it opened a new school was to reach out to the neighborhood high schools; that the Applicant had received funding from the Chicago Public Schools for security; and

WHEREAS, in response to the Board's concerns, Mr. Manson further testified that he is familiar with the challenges students have getting to and from school; that at the Applicant's existing school in the Avondale community, the Applicant has had no altercation either within or outside the school; that the Applicant is a not-for-profit organization; and

WHEREAS, in response to the Board's discussion of conditioning the special use on the Applicant hiring an on-site security guard for the subject property, Mr. Boghokian further testified the Applicant would meet such a condition; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the proposed special use to establish a high school at the subject property provided the development is established consistent with the design, layout, and plans prepared by W.W. Architects & Consulting and dated June 12, 2014; and

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. The proposed special use complies with all applicable standards of this Zoning Ordinance;

2. The proposed special use is in the interest of the public convenience as it provides an alternative high school for those young adults who did not succeed at traditional high school and will not adversely impact the general welfare of the neighborhood as schools do not depreciate surrounding property;

3. The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the proposed special use will utilize an already existing building;

4. The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because the proposed special use will utilize an already existing building and because most students will use public transportation;

5. The proposed special use is designed to promote pedestrian safety and comfort as the subject property is located near both bus and train stops;

RESOLVED, the Board finds that the Applicant has proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby approved, and the Zoning Administrator is authorized to permit said special use subject to the following condition, pursuant to the authority granted by Section 17-13-0906 of the Chicago Zoning Ordinance:

1. The Applicant shall have an on-site security guard at its school at all times when students are present.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).

ZONING BOARD OF APPEALS
CITY OF CHICAGO

City Hall Room 905
121 North LaSalle Street
Chicago, Illinois 60602
TEL: (312) 744-3888

Darkim Responsible Living for Women, Inc.
APPLICANT

92-14-S
CALENDAR NUMBER

6541 South Rhodes Avenue
PREMISES AFFECTED

June 20, 2014
MINUTES OF MEETING

Linda Vernon Goldberg
APPEARANCE FOR APPLICANT

Lola Gray & Others
OBJECTORS

NATURE OF REQUEST

Application for a special use a 14-bed transitional residence for women with children only.

ACTION OF BOARD

The application for a special use is denied.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
Jonathan Swain, Chair	☐	☒	☐
Catherine Budzinski	☐	☒	☐
Sol Flores	☒	☐	☐
Sheila O'Grady	☐	☒	☐
Sam Toia	☒	☐	☐

THE RESOLUTION OF THE BOARD

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals ("Board") at its regular meeting held on June 20, 2014, after due notice thereof as provided under Section 17-13-0107-B of the Chicago Zoning Board and by publication in the *Chicago Sun-Times*; and

WHEREAS, Ms. Linda Vernon Goldberg, counsel for the Applicant, summarized the history of the affected property and explained the underlying basis for the relief sought; that the Applicant is a not-for-profit corporation organized to provide housing and support services for women who were previously homeless, incarcerated, residing in a drug treatment facility, or living in an abusive environment; that the Applicant has been operating since 2004 and would like to establish a transitional residence at the subject property; and

APPROVED AS TO SUBSTANCE
CHAIRMAN

WHEREAS, Ms. Kimberly Hopkins testified on behalf of the Applicant; that she is the president and founder of the Applicant; that she and her husband reside at and own the subject property; that prior to owning the subject property, she and her husband previously owned property located at 6752 S. Wood; that the Applicant operated a temporary shelter for women at said location from 2004 until 2007; that she moved from that location because there were too many disturbing elements which made it too difficult to operate transitional housing; that she and her husband purchased the subject property in 2008; that the subject property is currently improved with a seven (7) room apartment on the first and second floor as well as a garden apartment where she and her husband reside; that due to her own experiences with homelessness and abusive living environments, she desires to help women; that she has multiple certifications and training in areas including substance abuse and recovery coaching; that she used her personal resources to renovate the first and second floor apartment at the subject property to include twelve (12) beds and six (6) bedrooms for transitional housing; that she began providing temporary shelter at the subject property in 2010; that after 2010, she applied for grants and contracts from support agencies and was asked to provide proof of zoning compliance; that she then learned she would need a special use for support agencies to provide her with funding; and

WHEREAS, the Board asked for clarification and Ms. Hopkins further testified that she has been taking in women since 2010 and that she and her husband have been living on the subject property with these women since 2010; that as she is not funded by any support agencies, the women currently living at the subject property are guests in the home; that her special use was first delayed by her architect leaving the profession and failing to follow through with zoning approvals; that her special use was further delayed by her search for legal counsel; that after filing the special use application, she held a community meeting at the request of the Alderman; that at the community meeting, objections were raised based on fear of having women who were previously abused, homeless, incarcerated, or recovering from addiction; that at the community meeting, she was asked to preserve the peace in the neighborhood; that she has taken action to promote the security and safety of the community; that she has called the police if there were disturbances in her building and has zero tolerance for inappropriate behavior for the women residing at the subject property; that she is the primary person for supervising all activity at the subject property; that if the special use is granted, she will resume seeking referrals for the currently unoccupied bedrooms on the first floor of the property; that other than her husband, no men will be allowed on the subject property; that minor children of the residential women will be allowed to visit the property; that such visits will be limited to overnight stays on weekends subject to prior approval by the Applicant; that each resident's stay is limited to a maximum of two (2) years; that based on prior experience, most women will stay at the facility for a period of six (6) months; that she only interviews women who have been referred by support agencies and have completed the Applicant's application and screening process; that to remain as a resident of the subject property, each woman must abide by the house rules; that these rules include no drugs; that the majority of the support services for the residents are off-site and the residents are expected to leave the facility by 9:00 AM each morning to search for a job, attend school or training, or attend recovery support services; that the goal of the

Applicant is for the women to transition out of the residence into a self-supporting productive life; that once the Applicant obtains funding, the Applicant will provide limited on-site services in the form of substance abuse counselors, job and vocation trainers, and life coaches; that all residents are required to abide by a weekday curfew of 10:00 PM and a weekend curfew of 1:00 AM; that the Applicant hopes to receive funding for a resident manager and assistant; that the subject property has on-site parking for such contemplated employees; that the residents are not allowed to have cars while they stay at the residence; that the subject property provides all basic living accommodations for a safe and supportive environment; and

WHEREAS, in response to questions by the Board, Ms. Hopkins further testified that this is not a family shelter; that this is a shelter only for women, though children can come visit their mothers; that girls of any age may visit their mothers but only boys ages seven or younger are allowed to stay in the facility; that someone is always on-site at the residence, either in the form of Ms. Hopkins or a "peer leader;" that a peer leader is a long-time resident of the facility; that she does not have a professional staff member on-site twenty-four (24) hours per day; that residents can stay at the facility for up to two (2) years but most residents are "in and out"; that if residents violate the house rules, they are referred back to the original referral agency; that she currently has five (5) women residing at the subject property; that the prior facility she ran was not licensed; that the prior facility had a maximum capacity of fourteen (14) residents; and

WHEREAS, Mr. Sylvester J. Kerwin, Jr., testified on behalf of the Applicant; that his credentials as an expert in appraisal were acknowledged by the Board; that he has physically inspected the subject property and its surrounding area; that his findings are contained in his report on the subject property; his report was submitted and accepted by the Board; that his report fully addresses all of the criteria identified in the Zoning Ordinance which must be addressed in support of such an application; that he then orally testified to that the proposed special use: (1) complies with all applicable standards of the Zoning Ordinance; (2) is in the interest of the public convenience and will not have an adverse impact on the surrounding neighborhood; (3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the proposed special use will be utilizing an existing building; (4) is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation because the proposed special use will operate similar to other residential properties in the area; (5) and will promote pedestrian safety and comfort; and

WHEREAS, Ms. Lola Gray, of 6513 South Rhodes, testified in opposition to the application; that she is president of the neighborhood block club and is representing the block club; that since 2010, the shelter has been operating without a license and has resulted in more than sixty (60) phone calls to 911; that many of these calls came from inside the shelter and included charges of domestic battery, person stabbed, person with a gun, etc.; that there have also been arrests coming from inside the building on the subject property involving drug charges, weapons charges, and burglary; that all of these arrests have been within the past four years; that the block club used the Freedom of Information

Act ("FOIA") to obtain the records of 911 phone calls made from and arrests at the subject property; that she then presented copies of this FOIAed information to the Board; that her block is riddled with crime; that she does not understand why the Applicant would bring fourteen (14) women and children to her block as the block is not even safe for the block's long-term residents; that the block club requests that the special use be denied as the facility has already had a significant adverse effect on the community; that this neighborhood is not a place for a woman's shelter; and

WHEREAS, Ms. Maya Hodari, of 6543 South Drexel, testified in opposition to the application; that she is the founder of the Woodlawn Neighborhood Association; that both the Woodlawn Neighborhood Association and the Westwood Lawn Coalition are opposed to the application; that the Applicant does not meet the criteria for approval based on Ms. Hopkins' own statements that she attempted to operate an unlicensed facility at the subject property; that the neighborhood currently experiences high crime and poverty; and

WHEREAS, Ms. Jean Jeane Clark, of 6117 South Rhodes, testified in opposition to the application; that she is the president of the Westwood Lawn Coalition; that she does not understand how a corporation with no license, no building permits for renovation, and not in good standing with the State of Illinois should be allowed to operate a transitional residence at the subject property; that she does not believe the Applicant is reliable or capable of running a shelter; that if her own daughter was a resident at the facility, she would remove her immediately; and

WHERES, Ms. Linda Thomas, of 6651 St. Lawrence, testified in opposition to the application; that she had with her a letter of opposition from the Westwood Lawn Community; and

WHERES, in response to the Objectors' comments, Ms. Hopkins further testified that she calls the police but does not know of the specific police calls the Objectors are referring to; that there could be any sort of reason why a phone call to the police was made from the residence itself; and

WHEREAS, Ms. Goldberg explained that half of the FOIAed phone calls appear to be theft and burglary calls that potentially came from residents of the building; that to her understanding, no arrests were made; that there have only been two (2) calls for 2014; that several of the FOIAed phone calls are calls made in sequence so the number of actual events is certainly less than half of the calls; that no one disputes this is a high crime neighborhood; that the Applicant is in good standing with the State of Illinois; and

WHEREAS, Ms. Hopkins further testified that she is trying to be compliant in every way; that she cannot turn women away just because she is not currently licensed; that she would abide by a condition of twelve (12) beds and women only; and

WHEREAS, the staff of the Department of Planning and Development recommended approval of the special use provided the development is established consistent with the design, layout and plans dated December 30, 2013; now, therefore

THE ZONING BOARD OF APPEALS having fully heard the testimony and arguments of the parties and being fully advised, hereby makes the following findings with reference to the Applicant's application for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance:

1. The decision of the Zoning Board of Appeals to approve a special use application must be solely based on the approval criteria enumerated in Section 17-13-0905-A of the Chicago Zoning Ordinance;

2. The proposed special use will have an adverse impact on the general welfare of the neighborhood. In particular, the Board finds the FOIAed police records provided by Ms. Gray and Ms. Hopkins' testimony regarding these calls to be incompatible with the Applicant's ability to run a successful transitional residence. The Applicant has therefore failed to demonstrate that it can operate the proposed transitional residence in a manner compatible with the surrounding area. As the Applicant did not demonstrate that it can operate the proposed transitional residence in a manner compatible with the surrounding area, the proposed transitional residence would have an adverse impact on the general welfare of the neighborhood.

RESOLVED, the Board finds that the Applicant has not proved its case by testimony and evidence covering the five specific criteria of Section 17-13-0905-A of the Chicago Zoning Ordinance.

RESOLVED, the aforesaid special use application is hereby denied.

This is a final decision subject to review under the Illinois Administrative Review Act (735 ILCS 5/3-101 *et. seq.*).