

Jackson Park Watch

P.O. Box 15302, Chicago, Illinois 60615

jacksonparkwatch@gmail.com www.jacksonparkwatch.org www.facebook.com/jacksonparkwatch

Analysis of the Compliance of the CDOT Application with the Lakefront Protection Ordinance

May 10, 2018

Part Four of an application to the Chicago Plan Commission under the Lake Michigan and Chicago Lakefront Protection Ordinance requires the applicant to assess the proposal against the Fourteen Basic Policies and Thirteen Purposes enumerated in the ordinance. The text below is a copy of the CDOT application submitted January 10, 2018 with the Jackson Park Watch analysis of the CDOT responses to each of the required components.

PART FOUR: POTENTIAL IMPACT OF THE PROPOSAL

The Chicago Plan Commission requires that the Applicant address the Fourteen Basic Policies of the Lakefront Plan of Chicago and the Thirteen Purposes of the Lake Michigan and Chicago Lakefront Protection Ordinance, as listed below, in a written statement to the Commission attached to this Application Form and labeled Part Four. The statement should indicate which policies or purposes are or are not applicable to the Applicant's proposal, and, for those policies and purposes which are applicable, the statements should discuss the potential impact of the proposal.

I. Fourteen Basic Policies

1. Complete the publicly owned and locally controlled park system along the entire Chicago lakefront.

CDOT Response: Jackson Park and the portions of which are subject to this application are located entirely within the Public-Use Zone and ownership will be maintained by the Chicago Park District or City of Chicago, as appropriate. The project will have a net effect of contributing new parkland to the existing lakefront park system, entirely contained within Jackson Park and the boundaries described above in this report.

JPW Reply:

- *19.3 acres of public land in Jackson Park would be removed from public control and put under the effective control of the Obama Foundation, a private entity, under the terms of the related applications for an Institutional Planned Development submitted under separate cover and the terms of a yet-to-be concluded long-term ground lease between the City and the Foundation that would allow the Foundation to develop, construct and operate the Presidential Center. The Obama Foundation would control the rules and regulations concerning access to, maintenance, security for, and approved uses of the site.*

- *CDOT asserts the project will have “a net effect of contributing new parkland to the existing lakefront park system, entirely contained within Jackson Park.” However, there is nothing in this application that increases the size of Jackson Park. To the contrary, putting 19.3 acres of public parkland under effective control of a private entity actually reduces the amount of parkland in Jackson Park and thus in the entire existing lakefront park system.*

2. Maintain and enhance the predominantly landscaped, spacious and continuous character of the lake shore parks.

CDOT Response: *The proposal, while encompassing renovations and reprogramming of certain portions of present day Jackson Park open space, will result in a uniquely landscaped area designed to enhance the experience of those visiting the area while maintaining its existing appropriate character and increasing the direct pedestrian connectivity through the park and to the lakefront. Proposed roadway closures will have a net effect of contributing new parkland and reconnect small areas of park space currently segmented by pavement.*

JPW Reply:

The CDOT proposal:

- *destroys the carefully crafted lines of sight and circulation through the Park;*
- *destroys the ability to experience the continuous landscaped, spacious character of the Park by arbitrarily truncating and then resuming Cornell Drive;*
- *creates a new and significant east-west barrier through the Park by making Hayes Drive into a high-speed roadway that divides the Park into two separate, disparate areas;*
- *the land that lies under the roadways that CDOT proposes to vacate is already counted as parkland, Removing existing roadways does not constitute the creation of new parkland.*

3. Continue to improve the water quality and ecological balance of Lake Michigan.

CDOT Response: *This project will comply with all applicable City and Metropolitan Water Reclamation District regulations pertaining to the management of wastewater and storm water runoff and will not negatively impact the purity and quality of the waters of Lake Michigan.*

JPW Reply:

- *By creating a direct land connection between a new built-environment in Jackson Park and the West Lagoon in the Park, a Lagoon itself directly connected with Lake Michigan, this proposal potentially jeopardizes the water quality and ecological balance of Lake Michigan. The storm water runoff and wastewater from the new built-environment will affect the Lake if the waterway between the Lagoons and the Inner Harbor were to be restored, as proposed by the South Lakefront Framework Plan (note, the SLFP is often cited as a base-line for the OPC/ roads changes projects although it was developed after those projects were announced).*
- *It should be noted also that a major goal of the US Army Corps of Engineers Great Lakes Fisheries and Environmental Restoration (USCACOE GLFER) project now underway has been to improve the water quality of the Wooded Island lagoons, and that this effort would be threatened by the extension of the OPC campus to the edge of the West Lagoon.*

4. Preserve the cultural, historical, and recreational heritage of the lakeshore parks.

CDOT Response: *These proposed projects will respect the cultural, historical and recreational heritage of Jackson Park and the lakefront by keeping the space open and available to all visitors. This project is following the National Environmental Policy Act (NEPA) including Section 106 requirements.*

JPW Reply:

- *The CDOT proposal destroys a significant portion of the cultural and historical heritage of Jackson Park in its removal of important portions of the Olmsted design of the roadway system in the Park, both by eliminating Cornell Drive between 59th St. and Hayes Drive and by obliterating the roadway interface between the Midway Plaisance and Cornell Drive.*
- *The NEPA and Section 106 reviews are far from complete, and it is not now known whether these projects will receive approval as currently proposed.*

5. N/A

6. Increase the diversity of recreational opportunities while emphasizing lake-oriented leisure time activities.

CDOT Response: *The proposed roadway closures of Marquette Drive from Stony Island Avenue to Richards Drive and northbound Cornell Drive from 68th Street to 65th Street will re-join small areas of segmented park space currently segmented by pavement. The proposed improvements will have a net effect of contributing new parkland with potential for new recreational opportunities. Proposed trail improvements and underpasses increase safety and mobility through the park and to the lakefront.*

JPW Reply:

- *The proposed road closure of Marquette Drive from Stony Island Avenue to Richards Drive is unrelated to the Obama Presidential Center and rather applies only to the proposed golf course merger, a project which is not yet ready for review under the Lakefront Protection Ordinance. As such, it should be removed from this proposal*
- *Rather than increasing the diversity of recreational opportunities, this proposed closure of Marquette Drive would actually eliminate two basketball courts on either side of Marquette Drive between Stony Island Avenue and the current location of Cornell Drive.*
- *The proposed trails improvements are part of the Park District's South Lakefront Framework Plan rather than being part of the CDOT proposal. There are no actual plans to move this ahead.*

7. Protect and develop natural lakeshore park and water areas for wildlife habitation.

CDOT Response: *CDOT will continue to work with the Chicago Park District to ensure improvements will not negatively impact or otherwise diminish the landscape throughout Jackson Park and will positively impact ecological life along the lakefront.*

JPW Reply: *This proposal would remove and/or disrupt and/or destroy newly restored native habitat along the west side of Lake Shore Drive between the 59th Street Bridge and Hayes Drive and along the north side of Hayes Drive east of Richards Drive that has been recently created through USCACOE GLFER project.*

8. Increase personal safety.

CDOT Response: *The provision of improved lighting, pathway resurfacing, clearer sight lines and increased non-vehicular connections through the park and to the lakefront will attract more people to this open space and establish a safer means of traversing and monitoring activity throughout Jackson Park.*

JPW Reply: *Park advocates have been requesting improved lighting, pathway resurfacing, and other similar park maintenance projects for many years. This application contains no guarantee that these previously ignored basic maintenance will be implemented and continued in the Park as a whole, whether by CDOT or by the Chicago Park District, beyond the boundaries of the privately managed Obama Presidential Center.*

9. Design all lake edge and lake construction to prevent detrimental shoreline erosion.

CDOT Response: *N/A. The proposed improvements will not impact the existing shoreline.*

JPW Reply: *The proposed new underpass at 67th Street and South Shore Drive would certainly involve construction work that would impact the existing shoreline (as noted in #10 below) and that would require special attention or remediation during construction and after.*

10. Ensure a harmonious relationship between the lakeshore parks and the community edge, but in no instance will further private development be permitted East of Lake Shore Drive.

CDOT Response: *Improved pedestrian and bicycle facilities including new underpasses will improve access to the park and lakefront. With the exception of the proposed underpass at 67th Street and South Shore Drive, no work is proposed east of Lake Shore Drive.*

JPW Reply:

- *With the projected increase in vehicular traffic resulting from visitors to the OPC and from regular traffic diversions due to the proposed closure of Cornell Drive, the proposal to widen Stony Island to permit two lanes in each direction with on-street parking on each side and to install a raised median along this stretch will create a significant barrier between the Park and the OPC and the community to the west of Jackson Park, far from ensuring a harmonious relationship with the community edge. Stony Island Avenue would become as formidable as Lake Shore Drive to the east but without any underpasses or overpasses to accommodate pedestrians and bicyclists.*
- *A similar though less drastic barrier will be 67th Street at the south end of the Park as the CDOT proposal does not seem to allow adequately for increased traffic on that street. South Shore residents already face a challenge in accessing Jackson Park because of the golf course that spans the south end of the Park and many fear their access will be further restricted by the proposed golf course merger project. The additional impediment of more traffic movement and congestion on 67th Street as a result of diversions will not support a harmonious relationship between that community and the Park.*
- *The proposal to allow parking on both sides of Cornell Drive between 57th and 59th Streets would create significant traffic and pedestrian problems. In addition to creating a major peak-hour bottleneck on Cornell Drive, it would also endanger pedestrians, not only those attempting to cross from these parking spots to access schools, work, or public transportation downtown, but also those coming or going from the numerous residential buildings along the western edge of the Park. Again, far from ensuring a harmonious relationship with the community edge, it would be the source of endless disruption.*
- *The proposal to restrict access to and egress from 59th Street off of Stony Island would create severe problems for the residential buildings east of the Metra tracks and create traffic backups in the residential streets to the*

west of the Metra tracks as drivers sought alternate routes. Again, this change would result in disruption, not harmony.

11. Improve access to the lakeshore parks and reduce through vehicular traffic on secondary park roads.

CDOT Response: *The proposed improvements will help to improve access to Jackson Park, as well as other adjacent lakeshore park space, through the elimination of certain portions of existing roadways interior to the park, the establishment of new pedestrian access points and ADA compliant design features. Roadway closures of Marquette Drive from Stony Island Avenue to Richards Drive and northbound Cornell Drive from 68th Street to 65th Street will re-join small areas of segmented park space. Improvements including curb extensions, pedestrian refuge islands, and high-visibility crosswalk markings will enhance pedestrian safety and visibility. Pedestrian and bike access will also be enhanced with potential underpasses on Hayes Drive, Jeffery Avenue, and 67th Street at South Shore Drive.*

JPW Reply:

- *These road changes will not improve access to the Park by community members (see #10 above).*
- *The proposed road changes do not reduce through vehicular traffic on secondary park roads but rather just shift the location and impact of through traffic as Hayes Drive becomes an east-west barrier across the Park and Stony Island Avenue becomes a more imposing barrier to access to the Park from the west.*
- *Vehicular traffic would be snarled and pedestrian safety would be compromised by the proposal to create a complex set of high-traffic, pedestrian-heavy intersections between the Midway Plaisance and Cornell Drive.*
- *Public access to the Park and the lakeshore is dependent on adequate parking for visitors, a need that is not adequately addressed by the CDOT proposal. With the closure of Marquette Drive and the reconfiguration of Hayes Drive there is a net loss of at least 272 parking spaces. The main attempt to mitigate that loss is the problematic addition of spaces along Cornell Drive between 57th and 59th Streets (see #10 above). That addition, on the northwest side of the Park, will do little to address the needs of park users (as opposed to OPC visitors) who want to access facilities on the east or south side of the Park, where most of the spaces to be eradicated are located. Plans for vehicular parking in Jackson Park particularly highlight the lack of comprehensive planning for Jackson Park and reflect the separate efforts and agendas of the OPC, CDOT, and the Park District*

12. Strengthen the parkway characteristics of Lake Shore Drive and prohibit a roadway of expressway standards.

CDOT Response: *The project will maintain the existing appearance of South Lake Shore Drive by maintaining the existing landscaped median. The proposed addition of a third southbound lane from 57th Drive to Hayes Drive will keep curb and gutter along the new western pavement edge. The roadway improvements are only being designed to arterial roadway standards.*

JPW Reply:

- *The modest landscaped median on South Lake Shore Drive only extends between 57th Street and Science Drive and then again briefly between Science Drive and the 59th Street Bridge. For the remaining stretch of South Lake Shore Drive down to Hayes Drive, the median consists only of a concrete barrier.*

- *The proposed changes do nothing to strengthen the parkway characteristics of Lake Shore Drive.*

13. N/A

14. Coordinate all public and private development within the water, park, and community zones.

CDOT Response: The presence of this facility within the Public (Park) Use Zone, established pursuant to the Lake Michigan and Chicago Lakefront Protection Ordinance, requires analysis of the development by the Chicago Plan Commission and coordinated reviews between various city, state and federal agencies, as well as elected officials and the general public.

JPW Reply:

- *Coordinated planning of all of the proposals for changes in Jackson Park has been completely absent. (See note above for #11)*
- *At this point, there is no evidence that the required federal reviews are being coordinated either.*
- *Action on this application should be deferred until the federal review process is complete.*

II. Thirteen Purposes

1. To promote and protect the health, safety, comfort, convenience, and the general welfare of the people and to conserve our natural resources.

CDOT Response: The roadway and associated pollution reduction measures that will result from these enhancements to the green space of Jackson Park will not only have a positive impact on the users of the park but will further conserve area open space, including the lakefront. This project will enhance public access to the parks, the lakefront and to new recreational opportunities as part of the updates to the South Lakefront Framework Plan.

JPW Reply:

- *This proposal does not include any pollution reduction measures except those required by the built-environment project that is associated with it. Instead, it interferes with the existing US Army Corps of Engineers environmental restoration project and destroys existing restored native habitat.*
- *CDOT's reference to enhancements through the South Lakefront Framework Plan is misleading, since other than the OPC and road changes presumed in the SLFP, new recreational opportunities and other enhancements to the Park identified in the SLFP are aspirational and unfunded.*

2. To identify and establish the Lake Michigan and Chicago Lakefront Protection District and to divide that District into several zones wherein any and all development or construction, as specified in Article V hereinafter, shall be specifically restricted and regulated.

CDOT Response: *The proposed development falls within the Public (Park) Use Zone of the Lake Michigan and Chicago Lakefront Protection District and has been, and will continue to be, consistent and conform with the District's restrictions and regulations.*

JPW: *no comment.*

3. To maintain and improve the purity and quality of the waters of Lake Michigan.

CDOT Response: *This project will comply with all applicable City and Metropolitan Water Reclamation District regulations pertaining to the management of wastewater and storm water runoff and will not negatively impact the purity and quality of the waters of Lake Michigan.*

JPW Reply: *In fact, by creating a direct land connection between a new built-environment in Jackson Park and the West Lagoon in the Park, a Lagoon that the South Lakefront Framework Plan proposes to directly connect with Lake Michigan, this proposal potentially jeopardizes the water quality and ecological balance of Lake Michigan because the storm water runoff and wastewater from the new built-environment has the potential to affect the Lake via the West Lagoon.*

4. To insure that construction in the Lake or modification of the existing shoreline shall not be permitted if such construction or modification would cause environmental or ecological damage to the Lake or would diminish water quality; and to insure that the life patterns of fish, migratory birds, and other fauna are recognized and supported.

CDOT Response: *Following the NEPA/404 Merger Process will assure that this project will meet these goals. CDOT is cognizant of potential impacts to the US Army Corps of Engineers (USACOE) Great Lakes Fisheries and Ecosystem Restoration (GLFER) in Jackson Park and will coordinate these impacts with the USACOE.*

JPW Reply:

- *This proposal would remove and/or disrupt and/or destroy newly restored native habitat along the west side of Lake Shore Drive between the 59th Street Bridge and Hayes Drive and between Hayes Drive and Richards Drive that has been recently created through the US Army Corps of Engineers Great Lakes Fisheries and Environmental Restoration project.*
- *The NEPA/404 Merger Process has not taken place. No public information about this portion of the required federal review processes is currently available.*

5. To insure that the Lakefront Parks and the Lake itself are devoted only to public purposes and to insure the integrity of and expand the quantity and quality of the Lakefront Parks.

CDOT Response: *The improvements are proposed to only impact publicly-owned open space and no portion of these improvements includes exclusive private use of any proposed facilities or land; a net increase of public open space is included in this application.*

JPW Reply: *This project is designed to serve a private, rather than a public purpose – the Obama Presidential Center, which will result in a net decrease of 19.3 acres of publicly controlled open space in Jackson Park.*

6. To promote and provide for continuous pedestrian movement along the shoreline.

CDOT Response: *The proposed pedestrian underpass at 67th Street and South Shore Drive will enhance pedestrian safety and connectivity to the Lakefront Trail from Jackson Park and the adjacent communities.*

JPW Reply: *This underpass, now advanced as part of the golf course merger/ expansion proposal, has long been sought by the community. It is extremely expensive and funding has not been identified.*

7. To promote and provide for pedestrian access to the Lake and Lakefront Parks from and through areas adjacent thereto at regular intervals of one-fourth mile and additional places where possible, and to protect and enhance vistas at these locations and wherever else possible.

CDOT Response: *This proposal will help to improve access through the park and to the lakefront, as well as other lakeshore park space further north and south, through new pedestrian access points and ADA compliant design features. Improvements including curb extensions, pedestrian refuge islands, and high-visibility crosswalk markings will enhance pedestrian safety and visibility. Pedestrian and bike access will also be enhanced with potential underpasses on Hayes Drive, Jeffery Avenue, and 67th Street at South Shore Drive.*

JPW Reply:

- *It is unclear what new access points to the lakefront would be created beyond the proposed underpass at 67th Street, which is part of the golf course merger/ expansion proposal, a proposal that has not yet been presented for LFPO review. To the contrary, banning parking on Hayes Drive would significantly reduce easy access to the Lakefront and to the athletic fields now on both sides of Hayes Drive.*
- *Converting Stony Island Avenue to a wider, high-speed roadway would inhibit pedestrian access to Jackson Park and hence the lakefront, rather than enhancing it.*

8. To promote and provide for improved public transportation access to the Lakefront.

CDOT Response: *CDOT is working with Metra, the CTA, and other partners to maintain or improve transit connections to Jackson Park and the surrounding neighborhoods.*

JPW Reply:

- *This auto-centric proposal does nothing to improve public transportation access to the Lakefront.*
- *Further, beyond assertions such as the one above, there is no credible evidence that either the CTA or Metra, each of which are separate entities with separate boards, are working on improved public transit connections to Jackson Park and the*

surrounding neighborhoods in connection with the proposal. This is another example of the lack of comprehensive planning for Jackson Park.

9. To insure that no roadway of expressway standards, as hereinafter defined, shall be permitted in the Lakefront Parks.

CDOT Response: The roadway improvements are only being designed to arterial roadway standards. The proposed addition of a third southbound lane on South Lake Shore Drive from 57th Drive will maintain the existing landscaped median and provide curb and gutter on the west edge of pavement. Similar standards will be applied to other park roadway improvements, including curb and gutter, Chicago Barrier Walls or landscaped medians, and at-grade intersections.

JPW Counter:

- The modest landscaped median on South Lake Shore Drive only extends between 57th Street and Science Drive and then again briefly between Science Drive and the 59th Street Bridge. For the remaining stretch of South Lake Shore Drive down to Hayes Drive, the median consists only of a concrete barrier.*
- Banning parking on both sides of Hayes Drive between South Lake Shore Drive and Cornell Drive and the erection of a concrete median in the middle of Hayes Drive risks creating an expressway-type stretch of road with two fast-moving lanes of traffic on either side that will truncate the Park into north and south segments.*
- The road changes proposed by CDOT are intended to move vehicles through the Park at a high volume, as quickly as possible; they are not park-centric.*

10. To insure that development of properties adjacent to the Lake or the Lakefront Parks is so defined as to implement the above-stated purposes, provided, however, that with respect to property located within the Private Use Zone as established by Article V, VI, and IX of this Ordinance, the permitted use, special use, lot area per dwelling unit, and floor area ratio provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, shall govern except where such provisions are in substantial conflict with the purposes of this Ordinance of the Fourteen Basic policies of the Lakefront Plan of Chicago.

CDOT Response: N/A.

JPW: N/A

11. To achieve the above-stated purposes, the appropriate public agency should acquire such properties or rights as may be necessary and desirable.

CDOT Response: CDOT is the appropriate body of the City to make such acquisitions and improvements as described in this report and application to improve safety and the level of connectivity through the park to the lakefront and along such roadways which pass through or along the boundaries of Jackson Park.

JPW: No comment

12. To define and limit the powers and duties of the administrative body and officers as provided herein.

CDOT Response: N/A.

JPW: N/A

13. Nothing contained in the Lake Michigan and Chicago Lakefront Protection Ordinance shall be deemed to be a waiver or consent, license or permit to use any property or to locate, construct or maintain any building, structure or facility or to carry on any trade, industry, occupation or activity which may be otherwise required by law.