

Jackson Park Watch

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TO: The Members of the Chicago Plan Commission
FROM: Brenda Nelms and Margaret Schmid, co-presidents, Jackson Park Watch
DATE: May 10, 2018
RE: Your May 17 planned review of:

- The Chicago Department of Transportation Application to the Chicago Plan Commission under the Lake Michigan and Chicago Lakefront Protection Ordinance (submitted January 10, 2018)
- The Barack Obama Foundation Application to the Plan Commission for an Amendment to the Chicago Zoning Ordinance (submitted January 10, 2018)
- The Barack Obama Foundation Application to the Chicago Plan Commission under the Lake Michigan and Chicago Lakefront Protection Ordinance (submitted January 10, 2018)

CC via email: Alderman Leslie Hairston, Obama Foundation officials David Simas, Michael Strautmanis, and Roark Frankel

Jackson Park Watch is a virtual community organization committed to advancing community input, transparency and comprehensive planning in all major decisions concerning Jackson Park. Started in fall 2015 when vague plans advanced by Project 120 for the Park prompted many concerns in the community, we raise questions, do research, and share what we learn through our periodic *Update*, distributed broadly via e-mail.

The proposals for the Obama Presidential Center (OPC) and the related road changes, developed without meaningful community input, have of course attracted our attention, and we have been following them carefully. Because the decisions you are asked to make have such major consequences, and because Plan Commission rules do not allow us to offer more than a three-minute comment at a meeting, we have prepared this informational packet and submit it to you in advance. Physical copies have been delivered to the Plan Commission office for each of the appointed Plan Commission members; copies for the ex-officio members have been delivered via e-mail.

Part One: The Chicago Department of Transportation Application to the Chicago Plan Commission under the Lake Michigan and Chicago Lakefront Protection Ordinance

We call on you to *reject* this Chicago Department of Transportation (CDOT) application under the Lake Michigan and Chicago Lakefront Protection Ordinance for multiple reasons:

- The CDOT analysis concerning its compliance with the Lake Michigan and Chicago Lakefront Protection Ordinance is badly flawed and should be rejected as such. We include our analysis of this below. We include in this packet our analysis of the CDOT application highlighting errors and inconsistencies.

- There is no need for the CDOT transportation project. Roark Frankel, Obama Foundation Director of Planning and Construction, stated at a 4/5/18 meeting with Jackson Park Watch that the Obama Presidential Center will be constructed in Jackson Park even if Cornell Drive remains open. In effect, taxpayers are being asked to spend a significant amount of scarce tax dollars on an unnecessary project.
- CDOT’s description of its proposal as related to “Transportation improvements to support the update to the Chicago Park District South Lakefront Framework Plan” falsely implies that the road closures and realignments present in the proposal are somehow required by the South Lakefront Framework Plan (SLFP) that was “accepted” by the Park District Board only on April 11, months after the submission of this application.
- The CDOT application and the traffic study supporting it have substantial weaknesses, as documented in a study conducted for us by raSmith, a national multi-disciplinary engineering firm. The attached study -- *CDOT’s Transportation Plan for the Obama Presidential Center in Jackson Park: A Review and Alternative* -- demonstrates that the CDOT plan has technical flaws; the public interest demands complete and open discussion of these problems.
- The CDOT proposal that has been presented for your review was developed with the *singular goal* of accommodating the closure of Cornell Drive as desired by the Obama Foundation. As part of the attached raSmith study, we present one possible alternative for consideration. Here again, *in light of the fact that the Obama Presidential Center will be constructed in Jackson Park even if Cornell Drive remains open*, the public interest demands complete and open discussion of this alternative, as well as of others that may be proposed.
- The CDOT application is incomplete. Were the project to proceed, significant additional information that would need to be provided includes:
 - Explanation of the change in the OPC site
 - The CDOT plan presumes that the site of the Obama Presidential Center is somewhat north and east of the site designated for the Obama Presidential Library in 2015. Yet there has been no public process to ratify that change in the definition of the site. It is thus unclear how this application, lacking as it does this necessary information, could be approved.
 - Staging
 - When would what portion of the proposed road changes occur? How does this relate to the planned construction of the Obama Presidential Center?
 - Would LSD be widened prior to the removal of Cornell drive? Stony Island? When would the proposed changes to Hayes drive take place?
 - A flowchart of the various proposed segments of the road work showing when each would begin and end and how this relates to the proposed OPC construction schedule is absent.
 - A clear demonstration that traffic would flow unimpeded through the area during all of the roadwork is lacking
 - Management of the project
 - What entity would doing what work? Would all of the road changes be managed by CDOT? Or would any part of the road work including potentially the removal of Cornell Drive be managed by the Obama Foundation? If so, what part?

Part Two: Obama Foundation Applications

- The Barack Obama Foundation Application to the Chicago Plan Commission for an Amendment to the Chicago Zoning Ordinance
- The Barack Obama Foundation Application to the Chicago Plan Commission under the Lake Michigan and Chicago Lakefront Protection Ordinance; and

We address these applications together because of their necessary interdependence.

Because these applications are incomplete and/or faulty in multiple ways, we call upon the Plan Commission to delay action pending additional information in three major areas:

- Needed information on related critical and unresolved policy issues affecting both applications.
- Missing information about the proposed OPC site, buildings, and operations and about the impact of the planned development on its surroundings that is needed in order to evaluate the requested zoning change.
- Additional information to address inadequacies in the OPC application for approval under the Lake Michigan and Chicago Lakefront Protection Ordinance.

Critical and unresolved policy questions and issues:

Issues that should be addressed before the Plan Commission acts on these applications include:

- Unexplained change in the OPC site: Among the items on the May 17 agenda is a resolution recommending a new ordinance authorizing the redefinition of the boundaries of the Park District property to be transferred for use for the Obama Presidential Center. The original site for the Obama Presidential Library (now “Center”) was described in the city ordinance O2015-192 (approved by the City Council on March 18, 2015, after public meetings and deliberation by the Council) as bounded by 60th and 63rd Streets, Stony Island Avenue and Cornell Drive. The site for which the Obama Foundation unveiled its plan in May 2017 and now requests approval represents an expansion of the defined site to the north (to 59th Street) and to the east (across Cornell Drive), including taking over the Perennial Garden and portions of two major roadways (Cornell Drive and the Midway Plaisance), with a new southern boundary set at approximately 62nd Street. How did this modification of the site boundaries for this grant of public land occur without public knowledge or discussion? On what basis and with what understanding did the Obama Foundation develop its current plan for the OPC in advance of any public review or action on the redefinition of the site? The Plan Commission should not approve the resolution until such information is available.
- Also on the May 17 agenda is a resolution recommending an ordinance authorizing a long-term ground lease for the OPC in Jackson Park. Full information about the terms of that lease should be available to the public as well as to the Plan Commission before the Plan Commission takes action on the resolution.
- The Plan Commission should not act on these applications until two critical public policy questions are addressed: the definition of public parkland and the issue of required replacement parkland.
 - First is the broad policy question of whether nearly 20 acres of public parkland that the City plans to cede under long-term lease to the Obama Foundation, a private entity, can be classified as public parkland, or whether it needs to be replaced with

actual *public* parkland. If public parkland can be given away in this fashion, a dangerous precedent for diminishing invaluable - and in this case, historic - Chicago parkland will have been established.

- The other is the far more narrow and technical question of whether "recreational parkland" as defined by the National Park Service under UPARR (the Urban Parks and Recreational Restoration Act of 1978) can be suddenly advanced by the City to justify replacing only a small portion of the total acreage of the OPC site, *resulting in a net diminution of public parkland in Jackson Park.*
- The Plan Commission should require the Obama Foundation to return to the Plan Commission for final approvals after all of the federal reviews (including NEPA, Section 106, UPARR, Section 4f, Section 404) are completed in full.
- The Plan Commission should take into account the adverse impact of the development of the OPC on rental fees and property values in the immediately surrounding neighborhoods and mandate mitigation efforts by the City.

Missing information on impacts:

Information about the proposed OPC site, buildings, and operations and their impact on the surroundings that would typically be provided for an application of this magnitude has not been provided (or at least is not publicly accessible). No Plan Commission action should be taken until such information is available for public review and comment:

- The Development Manual for Chicago Plan Commission Projects identifies the following supplemental reports that are typically needed with applications for Planned Development applications. Despite repeated requests, none of these reports has been provided or made available to the public in advance of the Plan Commission hearing:
 - Parkway Tree Calculation Table
 - Transportation Plans (addressing plans for public transit improvements beyond the CDOT roadways proposal)
 - Wind Impact Analysis
 - Sunlight Access and Shadow Impact Study
 - Environmental Impact Statement
- As noted above, the terms of the lease that will allocate this heretofore public space to the Obama Foundation, a private entity, should be fully defined in advance of consideration of this application:
 - If there is to be a long-term lease, what will be its duration? What will be the annual payments? What guarantees of financial capacity and sustainability are to be provided before construction can proceed?
 - Who will control the site with regard to access, security, usage for purposes both public and private?
 - Who will control the buildings with regard to access, security, rentals, etc.?
 - Who will maintain the site and the buildings, with what kind of restrictions or expectations?
 - What will be the relationship of the proposed Athletic Center to the adjacent Jackson Park Fieldhouse and the South Side YMCA?
- There is substantial comment and concern in the community and more broadly about the impact of the Obama Foundation proposal that need serious consideration and public discussion:

- Regarding the proposed 235' Museum Tower, there are serious questions as to whether a building of this height, to be backlit at night, is appropriate for an area adjacent to an historical park, a nature sanctuary for migrating birds, and a residential neighborhood.
- There are serious concerns as to whether the planned hyperactivity of the site would adversely impact the character of Jackson Park, the character of the neighborhood, and the integrity of the historic landscape, including Wooded Island and the Paul Douglas Nature Sanctuary.

Inadequacies of Obama Foundation application under the Lake Michigan and Chicago Lakefront Protection Ordinance:

The Obama Foundation's application for approval under the Lakefront Protection Ordinance has numerous inadequacies similar to those identified in the Chicago Department of Transportation's application under that same ordinance that require a request by the Plan Commission for substantive revisions to the application. We call attention to three specific examples from Part Four, Section I, Fourteen Basic Policies of the Lakefront Plan of Chicago.

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

The Obama Foundation Response: The proposed development supports Policy 1. The proposed development will be operated and maintained for recreational and cultural purposes. The purpose of the proposed development will be to enhance Jackson Park, including enhancing the existing public space and recreational, cultural and commercial amenities, attracting a broader audience and increasing year-round attendance. The site is located entirely within the Public-Use Zone and will remain under public ownership and control.

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 application for an Institutional Planned Development and the terms of the yet-to-be concluded long-term ground lease. The Obama Foundation would control the rules and regulations concerning access, maintenance, security, and approved uses of the site. Such an arrangement in effect interrupts the publicly owned and locally controlled park system along the entire Chicago Lakefront.

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

The Obama Foundation Response: The proposed development will respect the cultural, historical and recreational heritage of the lakeshore parks. The proposed development supports Policy 4 by including enhanced cultural and recreational opportunities, while respecting the historic features and content of Jackson Park.

JPW Reply: The Obama Foundation response is simply a restatement of the policy rather than a substantive statement of how it would address the policy to "preserve" the heritage of Jackson Park. In fact, the OPC design requires the destruction of important portions of the Olmsted design for the park and its tall tower likewise conflicts with Olmsted plans and with the current character of the park. The response also neglects the fact that the construction of the OPC campus will result in the loss of current recreational spaces (baseball fields, picnic areas) now publicly available under the management of the Chicago Park District.

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

The Obama Foundation Response: The policy is not applicable to this application because the development does not involve any modifications to Lake Shore Drive. The roadway modifications are intended to disburse traffic, improve efficiency of vehicular circulation and enhance the pedestrian experience.

JPW Reply: Such a claim ignores the indisputable fact that CDOT's plan to widen Lake Shore Drive has been prompted and designed solely to accommodate the Obama Foundation plan for the OPC, which by demanding the closure of Cornell Drive launches a domino effect on other roadways through Jackson Park.