

Council Q&A – October 1, 2019

Wednesday, September 25, 2019 3:51 PM

F. AWARDS AND RECOGNITIONS:

1. **19-935** Proclaim October 2019 as National Disability Employment Awareness Month

I. CONSENT AGENDA:

1. **19-934** Approve the regular City Council meeting minutes of September 17, 2019
2. **19-909** Approve the City Council meeting schedule for October, November & December 2019
3. **19-919** Approve the appointments of student representatives to City Boards and Commissions.
4. **19-792** Approve the award of Bid 19-197, Security Camera Maintenance and Repair Services, to Pace Systems, Inc. for an amount not to exceed \$250,000 and for a two-year term
5. **19-882** Approve the award of Option Year One to Contract 17-199, Biosolids Removal Services, to Stewart Spreading for an amount not to exceed \$205,500

Q:	So, just to confirm, are we going with the 3% on this contract?	Hinterlong
A:	<p>Yes, the contract allows for a 3% increase and that is the staff recommendation.</p> <p>Stewart's price remained fixed at \$15.96/cubic yard for two consecutive contract terms (2016-2017 and 2018-2019). Even with the recommended 3% increase to \$16.44/cubic yard, Stewart's price is still \$5.56/cubic yard lower than the next lowest bid from the previous procurement (\$22.00/cubic yard). Since the previous procurement, Illinois has doubled the fuel taxes, raised vehicle registration fees, the Consumer Price Index increased 4%, plus increased cost of wages and insurance are all factors for the requested 3% increase.</p>	Blenniss

6. **19-888** Approve the award of Cooperative Procurement 19-273, Traffic Signal and Street Light Maintenance, to Meade Inc. for an amount not to exceed \$746,948.60, plus a 5% contingency and for a two-year term.
7. **19-904** Approve the award of Bid 19-270, 4th Avenue Train Station Improvements, to RoMAAS Inc., for an amount not to exceed \$159,900, plus a 5% contingency

Q:	Who owns the train stations at Route 59 and 4th Avenue? Are the platform/stairwell improvements contemplated by this agenda item not included in the plans for the 5th Avenue redevelopment?	Kelly
A:	The Naperville Metra train station on 4 th avenue is owned by the BNSF railroad. The areas identified to be improved this year are the north and south entry way doors including the concrete sidewalk immediately located outside the south entrance of the building. The	Noll

	concrete will be removed and replaced in the same location as before but the excessive cross slopes will be corrected to meet current accessibility standards. The proposed work is not included in the 5 th Avenue redevelopment concept.	
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Q:	Agenda item 19 - 409 approve bid 19 –270 at Dublinski - Is this 4th Avenue or 5th Avenue? Memo says 4th Avenue train station improvements is this really to be 4th Avenue or 5th Avenue train station? Will we would be providing notice residences and commuters?	Gustin
A:	The improvements will be made at the 4 th avenue train station located on the south side of the tracks. Notice will be sent to residents and commuters on Wednesday, October 2, 2019.	Noll

- 8. **19-912** Approve the award of Option Year One to Contract 18-260, Cartage Services, to International Hauling and Excavating Inc. for an amount not to exceed \$145,000
- 9. **19-931** Approve the award of Cooperative Procurement 19-249, Mobile Broadband Data Services, to Verizon Wireless for an amount not to exceed \$235,000 and for a two-year term
- 10. **19-932** Approve the award of Cooperative Procurement 19-248, Cellular Phone Services, to Verizon Wireless for an amount not to exceed \$614,000 and for a two-year term
- 11. **19-884** Waive the first reading and pass the ordinance amending Section 3-7 of the Naperville Municipal Code to allow vehicle vending at Naperville train stations (requires six positive votes)

Q:	This amendment is to allow coffee to be sold at the Naperville Train station in the mornings at it has been for decades. However, it appears the City has also stipulated in a letter to the current sole vendor that the operation will have to move off the platform to an uncovered location. Could staff please confirm this change and provide the rationale for it?	Sullivan
A:	1. The attached agreement (Res 14-033) between Harry's and the City from 2014 to 2019 authorizes Harry's to vend from a set location as indicated on the attached map. The map designates Harry's spot to be on 4 th Avenue in front of the train station. Staff has been made aware that Harry does not in fact vend on 4 th Avenue as it would impede Pace bus traffic. As such, staff will permit Harry to continue to vend in his current location off of 4 th Avenue under the station overhang.	Foley/ Gallahue

Q:	<ol style="list-style-type: none"> 1. Can we do a year to year contract with Harry until we know the future of 5th Ave? 2. Why wasn't this item addressed back in July when he reached out to get the lease renewed? 3. I don't see 4th Ave. as an alternative to the situation. It would be a safety risk for all. 	Hinterlong
A:	<ol style="list-style-type: none"> 1. Per the email sent to Council, staff is requesting Council take the Action Requested which is to waive the first reading and pass the ordinance as amended. This will allow Harry to operate in compliance. Secondly, staff is requesting direction from Council to renew Harry's agreement, per the conditions in the text amendment, for two years with three one-year extension options for an annual cost TBD. This will grant Harry continued exclusivity to operate at the train station. 2. The map attached to the 2014-2019 agreement (Exhibit B to the agreement) designates Harry's spot on 4th Avenue. Staff has been made aware that Harry does not in fact vend on 4th Avenue as it would impede Pace bus traffic. As such, staff will 	Foley/ Gallahue

	<p>permit Harry to continue to vend in his current location off of 4th Avenue under the station overhang.</p>	
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Q:	<p>Please provide a timeline starting with Harry's last lease through today. Please include all notices provided to him.</p>	Gustin
A:	<p>July 2010 – Initial Agreement with Harry's Catering establishing an annual lease fee to use designated space and to have electric service August 2014 – Agreement renewed for 5 years. Expired August 27, 2019 End of July 2019 - Harry reaches out to staff about extending agreement August 20, 2019 – Council approves the replacement of the peddler and solicitor section of the Municipal Code. August 21, 2019 – Staff reaches out to tell Harry's that we are working on the renewal of their agreement September 26, 2019 – Staff informs Harry's that Agenda will be on October 1, 2019 – Proposed ordinance amending Section 3-7 of the Naperville Municipal Code to allow vehicle vending at Naperville train stations.</p>	Dublinski

Q:	<p>1) Can you please circulate a copy of the agreement that expired in August?</p> <p>2) Does the city actually own the land where Harry's truck is situated, or is it owned by Metra or BNSF. Are/were either of those entities a party to the recently expired agreement?</p> <p>3) Why is staff suggesting that Harry move to 4th Avenue? Where exactly on 4th would he be?</p> <p>4) Have any other vendors ever asked to sell coffee/food at the train station?</p> <p>5) Could we extend the agreement as is but add an early termination clause in the event termination is necessary as a result of the 5th Avenue development?</p> <p>6) How does the new ordinance impact food truck vendors at the farmers market? I know Allegory recently started selling food at the farmers market, and if that is a problem with the new ordinance, could we add a text amendment to allow for that as well?</p>	Kelly
A:	<p>1) Res 14-033 is attached.</p> <p>2) The 2014 – 2019 agreement with Harry's authorized him to vend from a set parking space on 4th Avenue in front of the station and to vend under the station overhang during inclement weather only. (See section 2.2 of the agreement and map marked at Exhibit B) BNSF leases the platform and walkways and station to the City and the City controls the use of 4th Avenue. BNSF was not a party to the agreement. BNSF was contacted and indicated they have no objection to a coffee vendor at the station.</p> <p>3) See #2</p> <p>4) Staff has had one inquiry about mobile vending at the Route 59 station this year. There have been no inquiries to sell coffee and pre-packaged goods at the 5th Avenue station.</p> <p>5) The current agreement can't be extend the current agreement without an amendment to the existing Code as Harry's existing arrangement violates the regulations for Food Vendors. Currently Food Vendors can't operate prior to 10:00 am and can't stay in a single location for more than 15 minutes.</p> <p>6) Under 3-7-11, food trucks are only prohibited to vend on public streets. Allegory is not in violation of the ordinance if vending on private property.</p>	Foley/ Gallahue

	The existing Food Vendor and Food Truck regulations only apply to operations on City property. Food Vendors and Food Trucks are allowed on private property.	
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Q:	As we see more development and concerns throughout the city would it be beneficial or recommended by staff to hire a PR person to provide information in advance so that residents and businesses are aware of any controversial changes in the community?	Gustin
A:	Staff strives to provide clear, accurate information on our projects and initiatives through a variety of sources including the newsletter, website, Naper Notify and social media. In this instance, better communication internally and with the customer could have alleviated many of the concerns.	Krieger

12. **19-847B** Pass the ordinance approving a variance to permit a detached Accessory structure to enclose the existing pool for the property located at 1291 Leverenz - PZC 19-1-087.

13. **19-907** Pass the ordinance approving the Final Planned Unit Development for Tru by Hilton Subdivision at the subject property located at 1809 W. Diehl Road, Naperville - PZC 19-1-075

Q:	<p>Please provide the opinions of the NDP and Chamber on this development.</p> <p>Has an updated review been done in this area after the PUD was approved in 2007?</p> <p>Can stake PUD's be reviewed by PZC for a more current application? Traffic is a problem in this area will we receive an updated traffic report?</p> <p>Is this part of the master plan update for that area? If so can we postpone until master plan updates are complete evaluating a variety of area criteria?</p>	Gustin
A:	<p>In 2007, NDP opposed the request to rezone the subject property to B3 PUD to permit a limited service hotel. However, because that project was approved and those approvals remain in place today, NDP understands that the petitioner is permitted to have one limited service hotel on the property with no more than 127 hotel rooms. While NDP is not opposing this development because of the 2007 approvals, they have stated their objection to any additional limited service hotels on this property (or on any other properties in which this use is prohibited today).</p> <p>The Naperville Chamber of Commerce has not weighed in on this development.</p> <p>Because the proposed Final PUD Plat is in substantial conformance with the Preliminary PUD Plat approved in 2007, the Council has two options regarding the current request: (1) Approve the Final PUD Plat, as presented or (2) Direct staff to initiate revocation of the 2007 Preliminary PUD approval; following revocation, the property would default to its underlying B3 zoning. Staff does not recommend Option 2 as development could then proceed on the subject property by right (including additional limited service hotels) without any further review and approval by the Planning and Zoning Commission or City Council.</p>	Laff

14. **19-850B** Receive the staff report for D& K Wake Subdivision located at 724 Jackson Avenue- PZC 18-1-136 (Item 1 of 3)

Q:	Are there any residential lots on Jackson west of Washington less than 11,000 square feet?	Kelly
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A:	17 out of the 29 residential lots (not including the subject property) located north and south of Jackson Avenue are less than 11,000 square feet.	Mattingly
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- 15. **19-929** Pass the ordinance approving the preliminary/final plat of subdivision and OAA for D&K Wake Subdivision with a variance from 7-4-4:2.4 for the subject property located at 724 Jackson Avenue - PZC 18-1-136 (Item 2 of 3)
- 16. **19-930** Pass the ordinance approving a variance from 6-6B-7:1 in order to subdivide the existing lot into two lots for the property located at 724 Jackson Avenue - PZC 18-1-136 (Item 3 of 3)
- 17. **19-839B** Receive the staff report for the Naperville Crossings Community located north of Anna Marie Lane, west of Showplace Drive and known as Lots 9 and 21 of Naperville Crossings - PZC 19-1-068 (Item 1 of 3)

Q:	<p>A.) How many students will these townhomes generate for School District 204 and is the district supportive?</p> <p>B.) The townhomes are three stories - how many bedrooms and what is the average projected sale price for each?</p>	Sullivan
A:	<p>A.) Based on the school generation tables adopted in the Municipal Code, the townhomes are projected to produce 9.4 students. The proposed plans have been sent to School District 204 as part of the standard review process; to date, staff has not received a response from the School District regarding the project.</p> <p>B.) Per the petitioner, all units will be three (3) bedrooms and the sales price range will be \$400,000-\$425,000 depending on the options and unit location.</p> <p>Please note that the petitioner will be paying required park and school fees in a lump sum payment prior to recording of the final plat. The staff report incorrectly states the fees will be paid on a per permit basis.</p>	Venard

Q:	<p>This development was very controversial and we rezoned with residential. However the PZC and developer council referred to this development as retail on main floor and residential on upper floors. What happened to change this project and why to all residential?</p>	Gustin
A:	<p>During PZC review of the proposed rezoning in December 2018, some PZC members did express a desire for the proposed development to include ground floor retail; this same desire was also expressed by some Council members during their review on January 15, 2019. Unfortunately, while the residential units could include a "home-occupation", the R3 district would not permit stand-alone ground floor commercial uses. Staff did clarify this before the Council vote was taken on the rezoning request on January 15, 2019.</p>	Laff

- 18. **19-921** Pass the ordinance approving a major change to the Naperville Crossings PUD and a final PUD plat for Naperville Crossings Community - PZC 19-1-068 (Item 2 of 3)
- 19. **19-922** Pass the ordinance approving a preliminary/final subdivision plat and the Owner's Acknowledgement and Acceptance (OAA) for Naperville Naperville Crossings Community - PZC 19-068 (Item 3 of 3)

Q:	<p>Can I have some better pics of the site plan? Mainly to show the sidewalks and other amenities. Is the storm water basin wet or dry? Do they get typical garbage pickup? Where do the cans get picked up or where do they have garbage corrals and are they responsible for their own association service to pick up their garbage?</p>	Hinterlong
A:	<p>Please see attached landscape details.</p> <p>The storm water basin is wet.</p> <p>The City will not provide garbage pickup. The petitioner will have to arrange for the provision of garbage pickup. The petitioner is currently planning to have individual carts that will be placed on the islands (see below).</p>	Venard

- 20. 19-938 Adopt the resolution approving the settlement contract between Roy Moore and the City of Naperville

N. PETITIONS AND COMMUNICATIONS:

- 1. 19-933 Deny a request by the Plastic Pipe & Fittings Association to repeal the City of Naperville’s local amendment to Section 890.320 of the Illinois State Plumbing Code that prohibits the use of certain plastic pipe and fittings for domestic water distribution systems

Q:	<p>A) Please summarize the evidence that has led staff to conclude that plastic pipe and fittings are less safe than copper, or that copper is the most safe material for this sort of work.</p> <p>B) Percentage-wise, about how much less expensive are the petitioner's plastic components compared to the copper that Naperville allows in code? (i.e. Are we talking ~2% or ~72% less expensive on average?)</p>	Sullivan
A:	<p>A. There are numerous articles and studies published and available for review that discuss the attributes of copper and plastic piping. Sources considered by staff include the following:</p> <ul style="list-style-type: none"> • Proctor (2014), <i>Effect of Various Water Chemistry Factors on Legionella Proliferation and the Premise Plumbing Microbiome Composition</i>. A thesis report funded by the US National Science Foundation. The text indicates that “The choice of materials significantly affects the chemistry and microbiology of the water.” “Plastic pipes, in particular cross-linked polyethylene (PEX), have been shown to release substantial amounts of organic carbon which is used as a substrate for growth of heterotrophic bacteria and amoeba.” “The use of copper pipes may be an effective control mechanism for <i>L. pneumophila</i> in some waters, but research is needed to identify conditions that can clearly explain why copper controls Legionella in some situations while being less effective in others.” • Stern & Logos (2007), <i>Scholarly Review, Are There Health Risks from the Migration of Chemical Substances from Plastic Pipe into Drinking Water? A Review</i>. The text concluded, “There are numerous chemical substances that can be released from polymeric materials into drinking water over time. When plastic pipes are used for residential plumbing and/or in the distribution humans may be exposed to a variety of chemical leachates. The health effects of the leachate chemicals that have been evaluated toxicologically are significant, ranging from liver and kidney effects to adverse health outcomes on the reproductive, developmental, immune and nervous systems, endocrine disruption, and/or carcinogenicity. Many of these substances target the same organs/systems, leading to concerns that leachates whose drinking water concentrations are individually below a chemical-specific SPAC may have additive and synergistic effects when considered as a chemical mixture...” • Venerem (2014), <i>Drinking water odors, chemicals above health standards caused by 'green building' plumbing</i>. This is an article summarizing studies conducted at Purdue University, School of Civil Engineering, Division of Environmental and Ecological Engineering. The article indicated that “Research with PEX pipes in the laboratory also showed that six brands caused drinking water to exceed the U.S. Environmental Protection Agency's maximum recommended drinking water odor limit.” It also noted that the research conducted “is showing that there are differences in the quality of PEX products on the market, and different brands cause different odor and chemical-leaching impacts.” 	Zibble

- **Consensus Study Report of The National Academies of Sciences, Engineering, Medicine (2019, prepublication version), *Management of Legionella in Water Systems*.** This recent report summarized the data of many previous reports. It noted that “copper (and other) materials influence the microbial composition of premise plumbing biofilms (Buse et al., 2014a; Procter et al, 2018), with copper resulting in less biofilm growth than various hard and soft plastics...” and acknowledged that “copper pipe has well-known antimicrobial properties”.

B) Based on the data provided by the applicant, total installed costs for PEX plumbing are generally 25% to 30% less expensive than copper plumbing for new construction, but will vary depending on the application.

Q:	After reading BRB minutes I shared their concern that the proposed product may crack and fray leaving the plastics pipe vulnerable. Would staff be concerned of any public safety issues or water seepage increases?	Gustin
A:	While the performance of the proposed material has not really shown a significant increase in failures (and subsequent public safety and water seepage issues), the staff recommendation has been to deny this request.	Novack

O. REPORTS AND RECOMMENDATIONS:

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1. **19-913** Determine future staffing for the administrative support of the Mayor and City Council and direct staff to begin recruitment

Q:	<p>A) If Section 1-5-5 of the Municipal Code, which stipulates that the Mayor and Council each get to employ an executive assistant to assist them were no longer codified, would the decisions regarding these staff positions need to be discussed and voted on in City Council meetings?</p> <p>B.) If these positions weren't codified, but some level of support staff were deemed necessary to support consistent, professional, efficient and effective City Council operations, is there any legal, financial or operational reason the Council and the Mayor could not elect to employ such resources?</p> <p>C.) What process would have to be followed in order to do this and would it differ significantly from the current process that is codified?</p>	Sullivan
A:	<p>A. Yes. Staff recommends removing this section from the code because it is unnecessary. However, even with this section removed from the Code, the Mayor and City Council need to provide a consensus on the hiring of administrative support positions, specifically the number of positions and duties and responsibilities.</p> <p>B. The Mayor and City Council can elect to employ the staff they need to support their operations. The codification, or elimination of, does not affect this.</p> <p>C. There is no difference in the process due to the current codification of the roles. The Mayor and City Council need to identify the duties and responsibilities of the positions and the number of positions needed. Staff will then work with the Mayor and Council on the recruitment and hiring of the positions.</p>	Schatz

2. **19-940** Direct Ryan Companies to move forward with the baseline concept presented on September 19, 2019 for more detailed study to address public concerns and recommendations of the 5th Avenue Steering Committee and preparation of key business terms.

<p>Q:</p>	<p>A) If Council were to move forward with this agenda item and accept this baseline, please provide a detailed overview of the process and timeline for the City that would follow, including what the next actions of Ryan Cos, the City, the City's commissions, City Council etc., and what the financial implications of each step would be (i.e. at which points are contracts entered into and does money begin to exchange hands?) The rest of my questions may help break down the first a little more specifically:</p>	<p>Sullivan</p>
<p>A:</p>	<p>B.) Please define specifically what is meant by "Detailed Study to address public concerns and recommendations of the 5th Avenue Steering Committee" Detailed study would include parking studies, traffic studies (including modeling), school generation analysis, commuter travel time analysis, market study, etc. These studies will help to address public concerns about pedestrian safety, parking, traffic, height, and density. The City has no financial obligations during this phase.</p> <p>C.) Please define what "preparation of key business terms" is and what it entails. Key business terms is a legal document to define the development parties (e.g., City, Ryan, Others), project components, and responsibilities of each party. It formalizes the relationship between the parties involved in a development project. A key business term document would include items such as:</p> <ul style="list-style-type: none"> • Project development components – A listing of individual parcels and proposed uses per lot (including detail of # of parking spaces by use, square footage and stories of any building, # units, infrastructure improvements, etc.) • Budget and financing plan – identifying anticipated project costs and components to be funded by the City, Ryan, Grants, and others • Schedule and phasing for construction • School Impact Fees and student generation • Development Approval Process (e.g., required meetings and approvals) • Contingencies • Termination provisions <p>City Staff and advocate time would be invested by the city during this phase.</p> <p>D.) If Council should vote to move forward with the baseline designed by Ryan Cos., does this also mean that Ryan Cos. is by default chosen as the exclusive and sole developer of the entire project? In other words, will there ever be a point at which the City could choose to receive a competitive bid from any other developer at any point in this project moving forward?</p> <p>At this point, City Council is being asked to vote to move forward with Ryan using the baseline concept as a starting point for additional study. A City Council vote does not establish a contract with Ryan Companies. The studies will determine the feasibility of the plan. The study will direct changes (e.g. traffic improvements, parking counts, density restrictions based on infrastructure demands). With the benefit of the study information, City Council will be able to decide whether or not to move forward with the project.</p> <p>The key business terms will be a vehicle for defining the City's contractual relationship with Ryan Companies. Through this document the City Council can decide if any elements of the project should be competitively bid to move forward. Ryan Companies will work with the City Staff and City Advocate to prepare a draft of this document for review as a part of this next phase.</p> <p>If approved by City Council, the studies, refined baseline, and key business terms could be completed as soon as the end of 2019.</p>	<p>Emery</p>

E.) At what point and in what role will S.B.Friedman be activated again in the 5th Avenue project? Please explain how and when their services will be used to benefit and assist the City in this project.

In the next phase, the primary role of S.B. Friedman will be in the negotiating of key business terms for City Council consideration to ensure that the City is getting a fair deal and taking full advantage of any available funding and financing options/opportunities. As necessary, S.B. Friedman will also review any financial studies and plan details created in the next phase to provide the City with an expert, independent review of study findings and assumptions which may be used to refine the baseline.

F.) About how many decision points/votes at the various commissions (most are touched by this project), PZC, and City Council levels and how much time will be required before the city could sell Ryan Cos. all the land and start development, assuming that commissions and Council consistently vote yes to approve each consecutive step?

Once a final plan is developed, it will be submitted and processed through the standard entitlement process. Assuming items such as rezoning, PUD, variances, etc. may be requested, this case will be scheduled for a public hearing before the Planning and Zoning Commission, with final review by the City Council. As necessary, the plans may also be sent the Financial Advisory Board or Transportation Advisory Board.

Other boards and commissions have been invited into the process already to review the initial concepts and the baseline to provide input (e.g. Housing Advisory Commission, Downtown Advisory Commission, Advisory Commission on Disabilities, Sustainability Task Force, Senior Task Force, etc.). These same groups would be welcome to independently review the plans and submit their findings/recommendations as part of the Plan Commission Public Hearing and/or directly to City Council.

Subject to the completion of necessary studies, agreement on key business terms, and preparation of a final plan, the process defined here could be initiated as soon as mid- to late-2020.

G.) If the City were to go ahead with the project and sell the land to Ryan Cos, but a future unforeseen situation/event (economic, financial, environmental, legal, etc.) inhibited Ryan from completing the project in all the ways that were originally approved by the City, what, if any, recourse would the City have at that point?

Should such a situation occur, the City's recourse would be defined through legal documents. These agreements would be prepared and negotiated for City Council approval when a the concept is finalized based on the outline established by the key business terms document. The specific legal documents would likely include conditions of sale or lease, a redevelopment agreement, and a conditions, covenants, and restrictions (CCR) instrument. For reference, all three of these tools are in place with the Water Street development. The documents stipulate timelines and conditions of sale, construction, and on-going maintenance requirements and responsibilities for any shared facilities.

A:

Q:	We have received a large number of emails regarding traffic, pedestrian and parking concerns. How can we best address their concerns and determine their validity?	Mayor Chirico
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A:	<p>As discussed at the Steering Committee meeting, the only way to accurately address concerns about traffic, pedestrian, and parking concerns is through detailed parking, traffic, pedestrian safety studies. These studies will be conducted to compare existing conditions to the baseline concept. Kimley-Horn, a national firm with traffic, parking and pedestrian experts is a part of the Ryan Team and prepared to conduct these studies. The information will provide real data to document existing conditions, models based on the land uses proposed, and expert recommendations. The studies will be available for community, Steering Committee, and City Council review upon completion.</p> <p>Attached is a copy of email and letter correspondence received.</p>	Emery
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RESOLUTION NO. 14 – 033

**A RESOLUTION APPROVING AN AGREEMENT
BETWEEN THE CITY OF NAPERVILLE AND HARRY'S CATERING
FOR THE PROVISION OF ELECTRICITY AND USE OF PROPERTY AT THE
DOWNTOWN COMMUTER STATION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE,
DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority as
follows:**

**SECTION 1: The Agreement Between the City of Naperville and Harry's Catering for the Provision
of Electricity and Use of Property at the Downtown Commuter Station ("Agreement") attached to
this Resolution as Exhibit A is hereby approved.**

SECTION 2: The Mayor and City Clerk are directed to execute the Agreement on behalf of the City.

SECTION 3: This Resolution shall be in full force and effect upon its passage and approval.

ADOPTED this 19th day of August, 2014.

**AYES: PRADEL, BRODHEAD, CHIRICO, FIESELER, HINTERLONG,
KRAUSE, McELROY, WEHRLI, WENTZ**

NAYS: NONE

ABSENT: NONE

APPROVED this 20th day of August, 2014.

A. George Pradel

A. George Pradel
Mayor

ATTEST:

Pam LaFeber
Pam LaFeber, Ph.D.
City Clerk



**AN AGREEMENT BETWEEN
THE CITY OF NAPERVILLE AND HARRY'S CATERING
FOR THE PROVISION OF ELECTRICITY AND USE OF PROPERTY
AT THE DOWNTOWN COMMUTER STATION**

THIS AGREEMENT ("Agreement"), entered into on this 27th day of Aug., 2014, by and between the City of Naperville, an Illinois municipal corporation in DuPage and Will Counties, with offices located at 400 South Eagle Street, Naperville, Illinois 60540 ("the City") and Harry's Catering, Inc. an Illinois corporation, having its principal office located at 10 S 533 Curtis Lane, Naperville, IL, ("Harry's"), sometimes referred to collectively as the Parties or individually as "Party."

RECITALS

WHEREAS, the City leases the Downtown Commuter Station ("Commuter Station") and surrounding station property from the Burlington Northern and Santa Fe Railway Company ("BNSF"); and

WHEREAS, Harry's is a local business that operates a limited service mobile catering or vending operation at the Commuter Station in Naperville and has done so for a number of years, and

WHEREAS, BNSF has approved the operation of a limited service mobile catering or vending operation at the Commuter Station; and

WHEREAS, Harry's desires to have limited electric service at the Commuter Station in order to facilitate its catering or vending business and is willing to pay for the cost of receiving electric service; and

EXHIBIT A

WHEREAS, in exchange for the continued operation of the mobile catering or vending service located at the Commuter Station, the City will receive a \$600.00 annual payment for the use of the public property for the catering or vending business.

1.0 **TERM OF THIS AGREEMENT**

1.1 All recitals set forth above, shall be incorporated into this Agreement.

1.2 This Agreement shall be effective from the date on which it is executed by the parties and will remain in effect for five (5) years from the date of execution.

2.0 **CITY'S RESPONSIBILITIES**

2.1 The City shall bill Harry's for electrical service usage on a quarterly basis, based upon his estimated electrical usage.

2.2 The City shall allow Harry's to park its mobile catering or vending truck at the Commuter Station in the location shown on the attached map (Exhibit B). During inclement weather, the City shall allow Harry's catering or vending truck to park under the station overhang.

3.0 **HARRY'S RESPONSIBILITIES**

3.1 Harry's shall promptly pay all utility bills issued by the City. As there will be no electric meter attached to the electrical outlet, electrical billing shall be quarterly and shall be based upon estimated usage of 4kW x 4.5 hours a day, five days week, for an estimated monthly cost of \$36.70/month. This cost may be adjusted in accordance with citywide electric rate increases implemented by the City and increases and decreases in electric load required by Harry's Catering.

3.2 When using the electric outlet installed by the City, any power cords or extension cords shall be covered by an ADA compliant cable protection ramp so as not to constitute a trip hazard or impede access by commuters.

3.3 Harry's shall operate its mobile catering or vending business at the Commuter Station Monday through Friday 4:00 a.m. through 9:00 a.m. only. Additional hours or days must be approved by the City.

3.4 Harry's shall be responsible for ensuring the area around the truck is free from food and debris each day before departing the site.

3.5 Harry's shall be responsible for obtaining all necessary permits to operate a mobile food catering or vending business in the City of Naperville and County of DuPage.

3.6 Harry's shall provide the City a certificate of insurance, in an amount acceptable to the City, naming the City and BNSF as an additional insured.

3.7 Harry's shall pay to the City \$600.00 annually, due on October 1st, for the ability to operate a mobile catering or vending truck on City property at the train station.

3.8 Harry's shall, during the term of this Agreement, indemnify and hold the City harmless against any liability, judgments, expenses, attorney's fees, or claims, including personal injury, death and property damage, arising out of Harry's use of the Commuter Station or use of electric service at the Commuter Station; provided, however, no such indemnification shall be required with respect to losses or liabilities caused by the negligent acts or omissions of the City.

4.0 ENTIRE AGREEMENT

4.1 This Agreement constitutes the entire Agreement and there are no representations, conditions, warranties or collateral agreements, express or implied, statutory or otherwise, with respect to this Agreement other than as contained herein.

4.2 This Agreement may not be modified, omitted or changed in any way except by written agreement duly signed by persons authorized to sign agreements on behalf of the City and Harry's.

5.0 APPLICABLE LAW

5.1 This Agreement shall be governed by the laws of the State of Illinois.

6.0 VENUE

6.1 Venue for any action taken by either City or Harry's, whether in law or in equity, to enforce the terms of this Agreement shall be in the Circuit Court of the Eighteenth Judicial Circuit, DuPage County, Illinois.

7.0 SEVERABILITY

7.1 If any of the provisions of this Agreement shall be deemed illegal, invalid, unconstitutional or unenforceable by any court of law having competent jurisdiction, such decisions shall not invalidate or negate the other remaining provisions of this Agreement.

8.0 SECTION HEADINGS

8.1 The section headings provided in this Agreement are for convenience only and shall not be deemed a part of this Agreement.

9.0 TERMINATION

9.1 This Agreement may be terminated at any time by either party by the submission to the other party of written 30 days advance notice to the following addresses:

FOR THE CITY:

City Manager
City of Naperville
400 South Eagle Street
Naperville, IL 60540

FOR HARRY'S

Harry Buenger
10 S 533 Curtis Lane
Naperville, IL 60564

Mailing of the notice specified in this section shall constitute personal notice and shall be deemed to have been given at the time of mailing.

10.0 TRANSFERABILITY

10.1 This Agreement may be transferred, upon written approval of the City, should Harry's choose to sell its mobile vending and catering business to another party.

THE PARTIES TO THIS AGREEMENT BY THEIR SIGNATURES ACKNOWLEDGE THEY HAVE READ AND UNDERSTAND THIS AGREEMENT AND INTEND TO BE BOUND BY ITS TERMS.

CITY OF NAPERVILLE

HARRY'S CATERING, INC.

By: *Doug A. Krieger*
Douglas A. Krieger
City Manager

By: *[Signature]* [Title] *President*

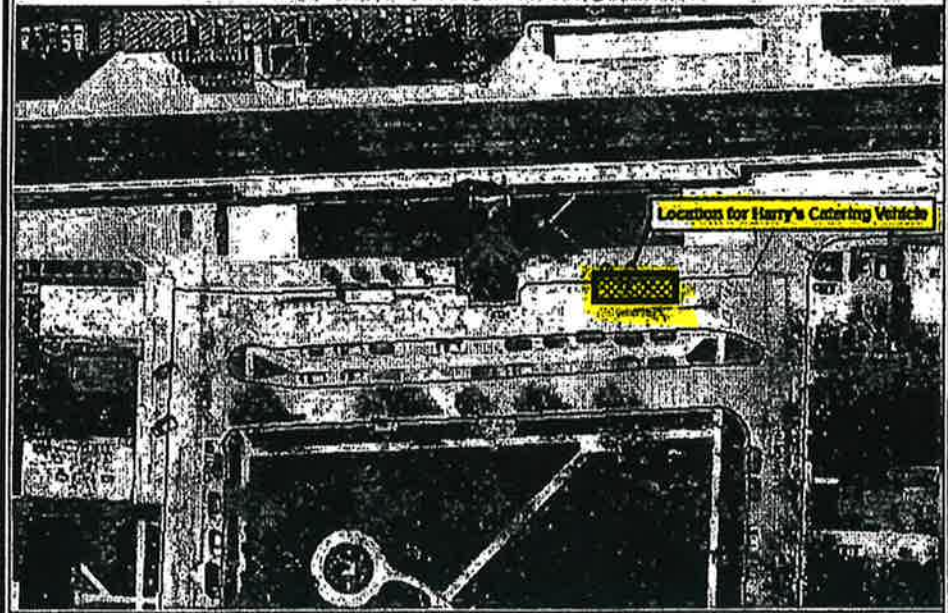
ATTEST:
By: *Pam LaFeber*
Pam LaFeber, Ph.D.
City Clerk

ATTEST:
By: *Nancy Beary*

Date: *8/27/14* Date: *8/27/14*



City of Naperville
Location For Harry's Catering Vehicle

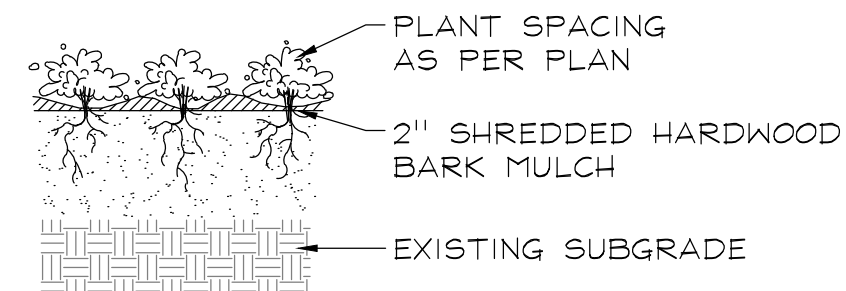


Department of Public Works
August 27th, 2014

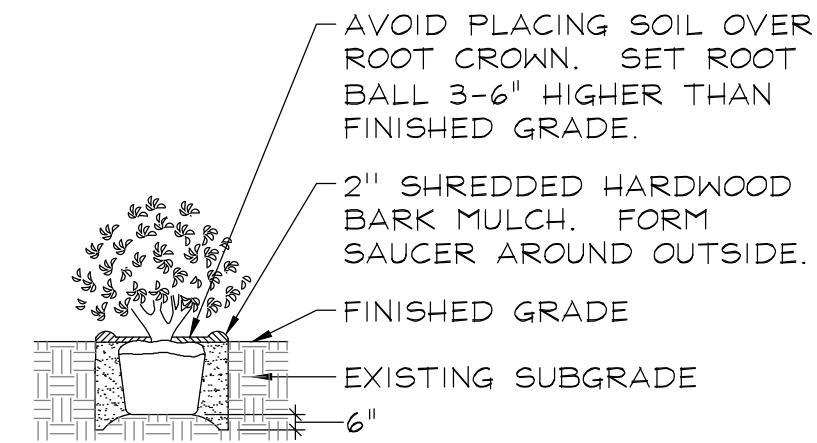


Exhibit B

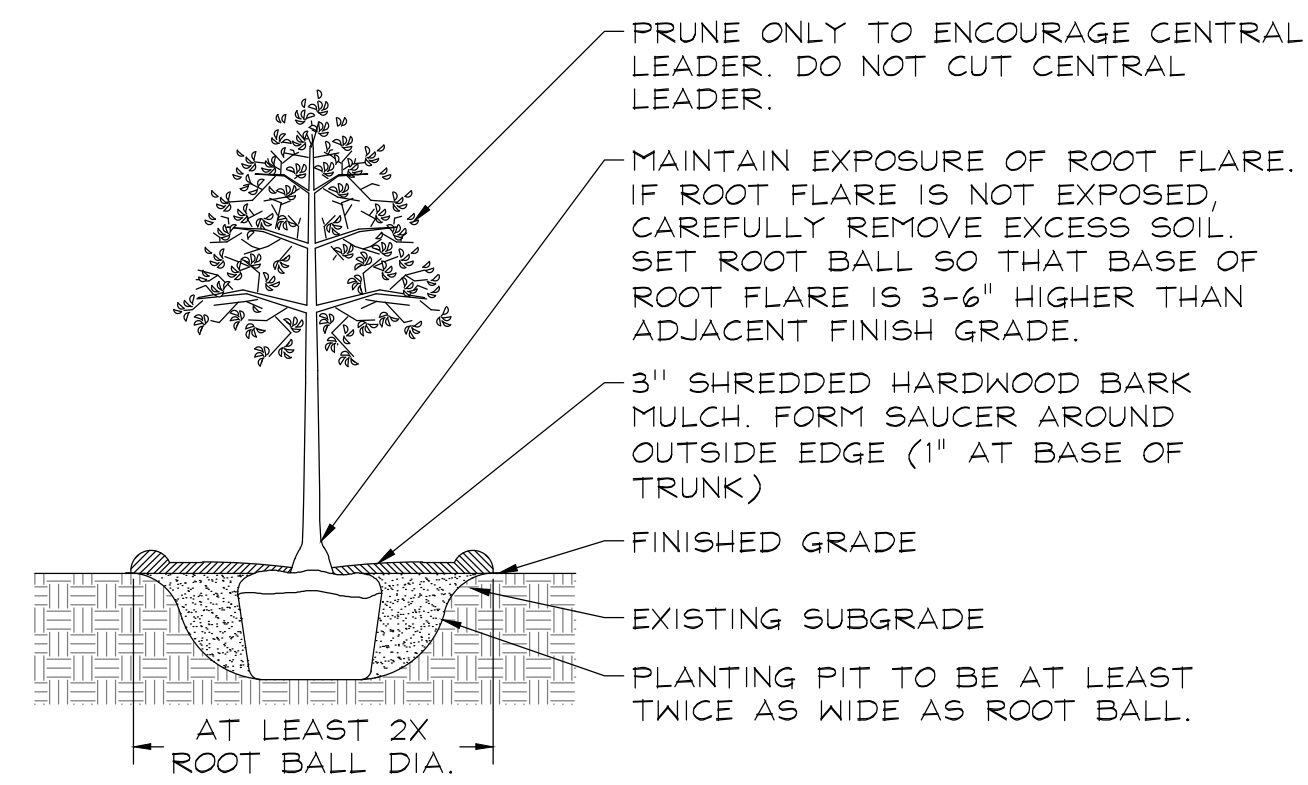
PLANTING DETAILS



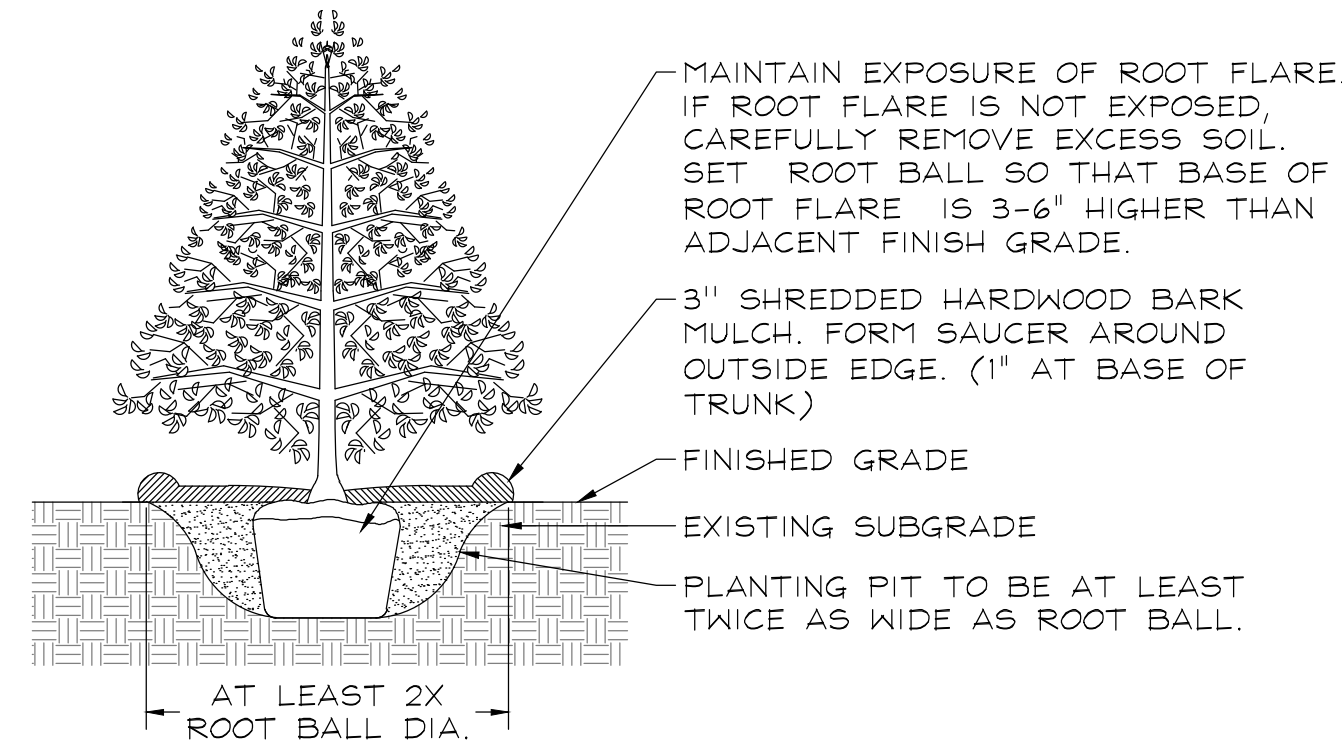
PERENNIALS AND GROUNDCOVERS
NOT TO SCALE



DECIDUOUS AND EVERGREEN SHRUBS
NOT TO SCALE



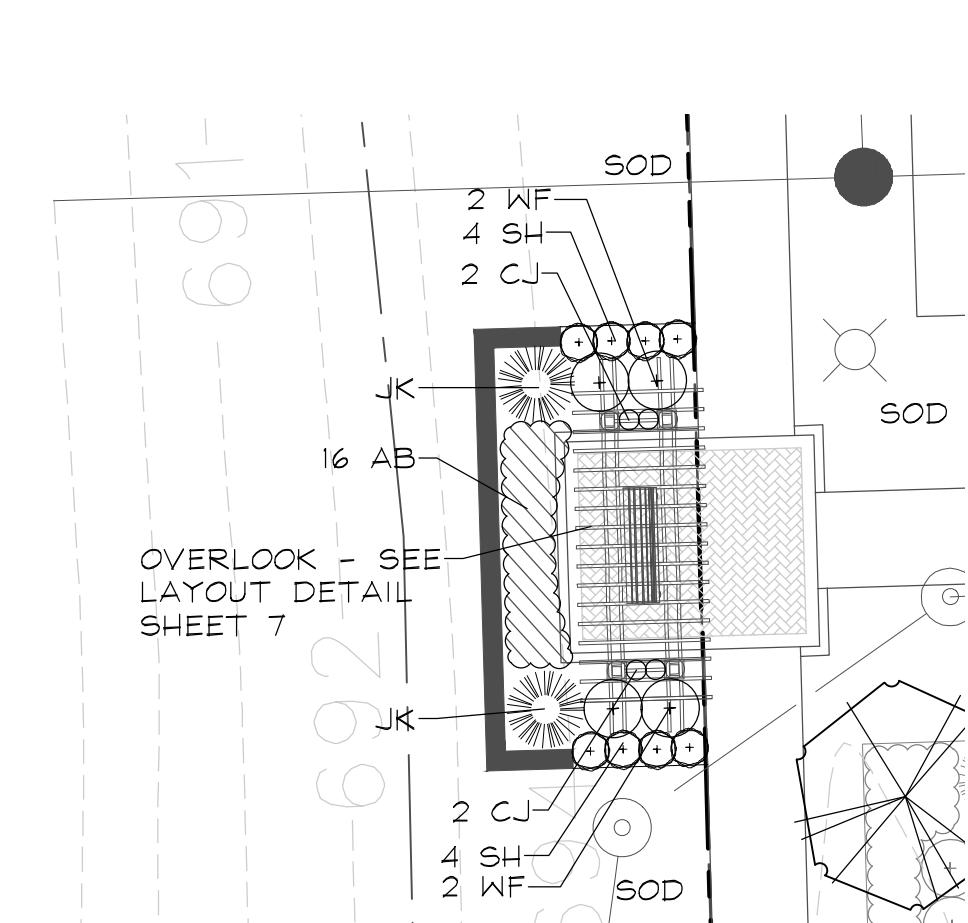
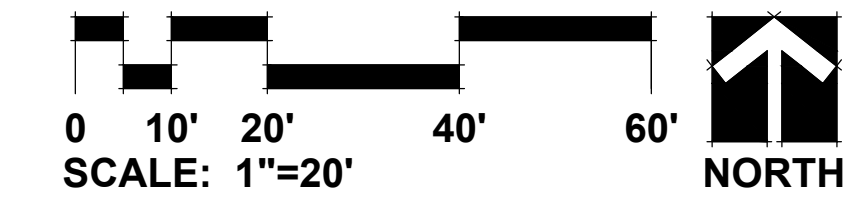
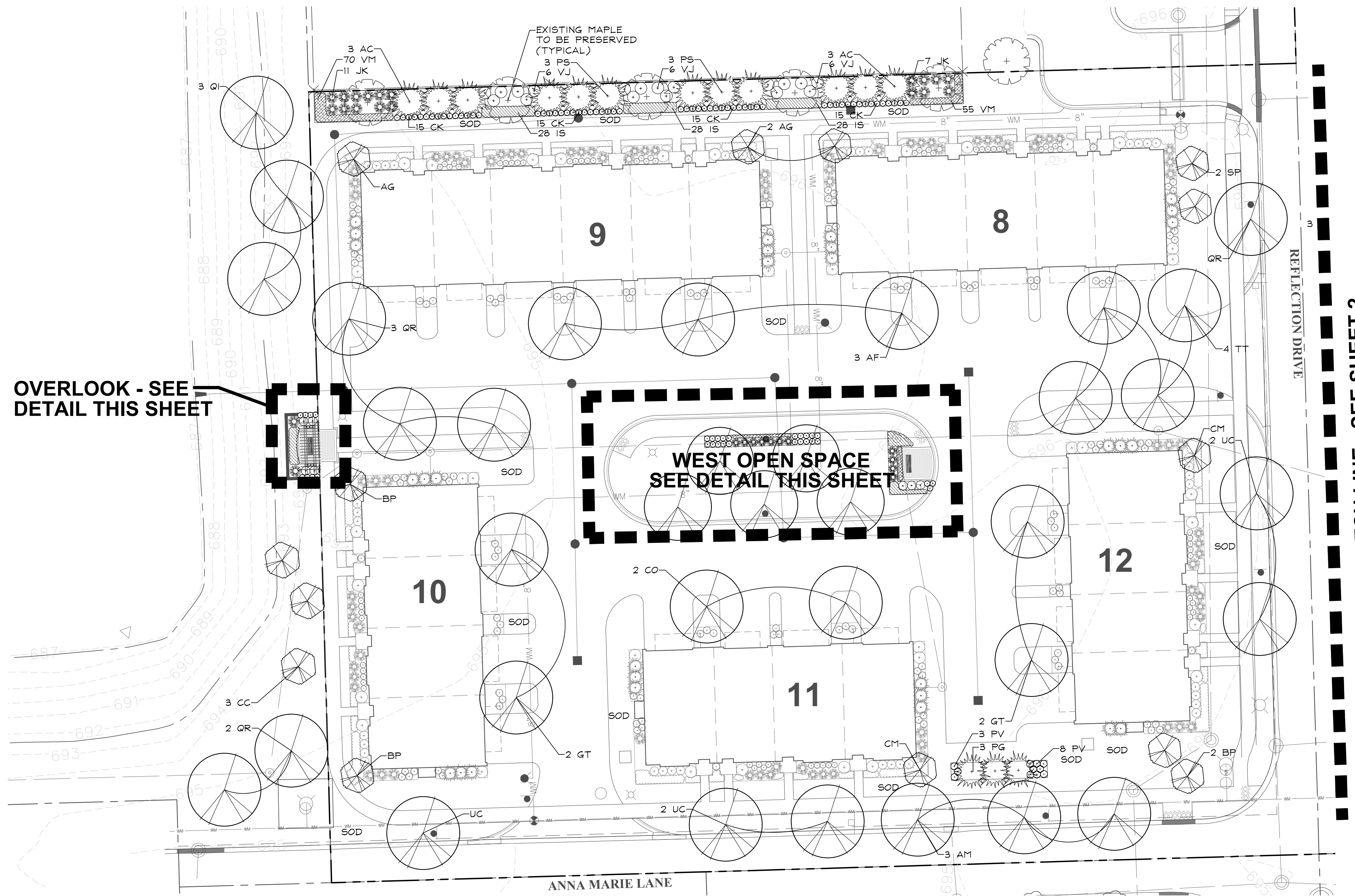
DECIDUOUS TREES
NOT TO SCALE



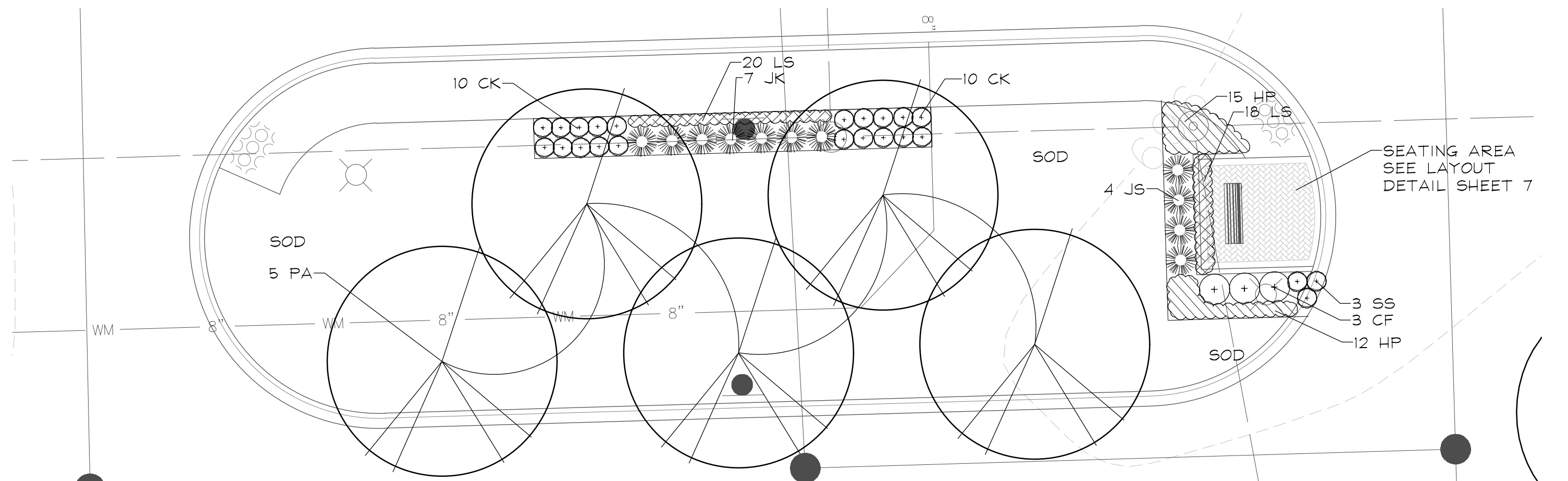
EVERGREEN TREES
NOT TO SCALE

OVERLOOK - SEE DETAIL THIS SHEET

WEST OPEN SPACE SEE DETAIL THIS SHEET



OVERLOOK LANDSCAPE DETAIL
SCALE: 1"=10'



WEST OPEN SPACE LANDSCAPE DETAIL
SCALE: 1"=10'

*SEE SHEET 7 FOR AMENITY LAYOUT PLAN

CITY PROJECT NUMBER: #19-1000068



GARY R. WEBER ASSOCIATES, INC.
LAND PLANNING
ECOLOGICAL CONSULTING
LANDSCAPE ARCHITECTURE
402 WEST LIBERTY DRIVE
WHEATON, ILLINOIS 60187
PHONE: 630-668-7197

CLIENT
LENNAR
1141 E. MAIN STREET
SUITE 108
EAST DUNDEE, ILLINOIS 60118
ENGINEER
MACKIE CONSULTANTS, LLC
9575 W. HIGGINS ROAD
SUITE 500
ROSEMONT, IL 60018

NAPERVILLE CROSSINGS
NAPERVILLE, ILLINOIS
LANDSCAPE PLAN

NO.	DATE
3	9.25.2019
2	9.04.2019
1	8.08.2019

DATE 6.11.2019
PROJECT NO. LN1939
DRAWN GFB
CHECKED MGM
SHEET NO.

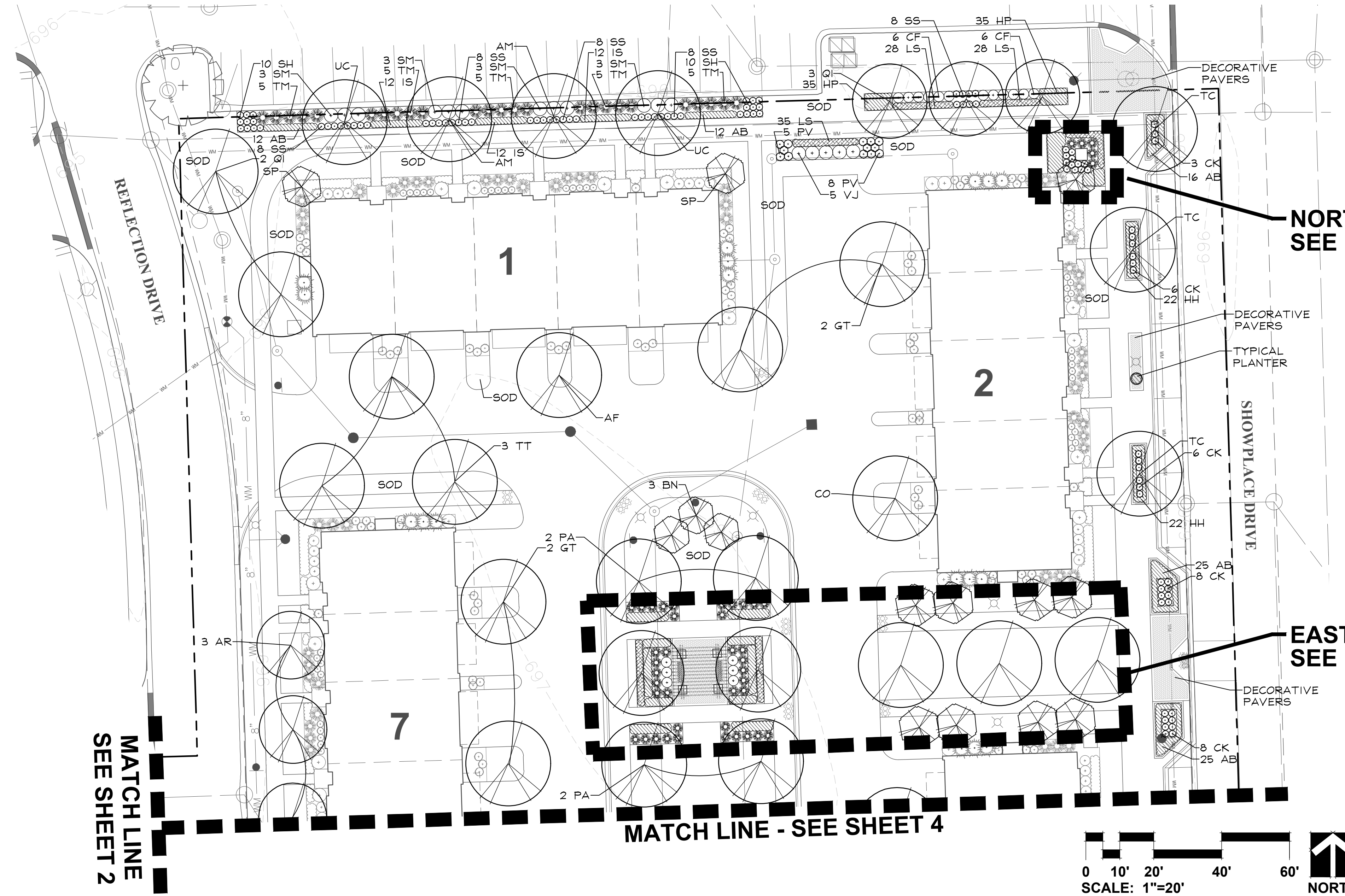
DATE PLOTTED: 6/11/2019 10:58:58 AM



GARY R. WEBER
ASSOCIATES, INC.
LAND PLANNING
ECOLOGICAL CONSULTING
LANDSCAPE ARCHITECTURE
402 WEST LIBERTY DRIVE
WHEATON, ILLINOIS 60187
PHONE: 630-668-7197

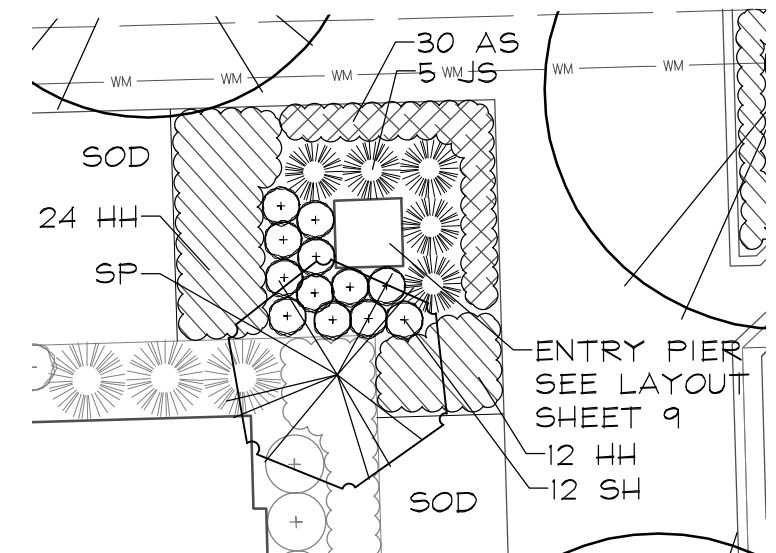
CLIENT
LENNAR
1141 E. MAIN STREET
SUITE 108
EAST DUNDEE, ILLINOIS 60118
ENGINEER
MACKIE CONSULTANTS, LLC
9575 W. HIGGINS ROAD
SUITE 500
ROSEMONT, IL 60018

NAPERVILLE CROSSINGS
NAPERVILLE, ILLINOIS
LANDSCAPE PLAN

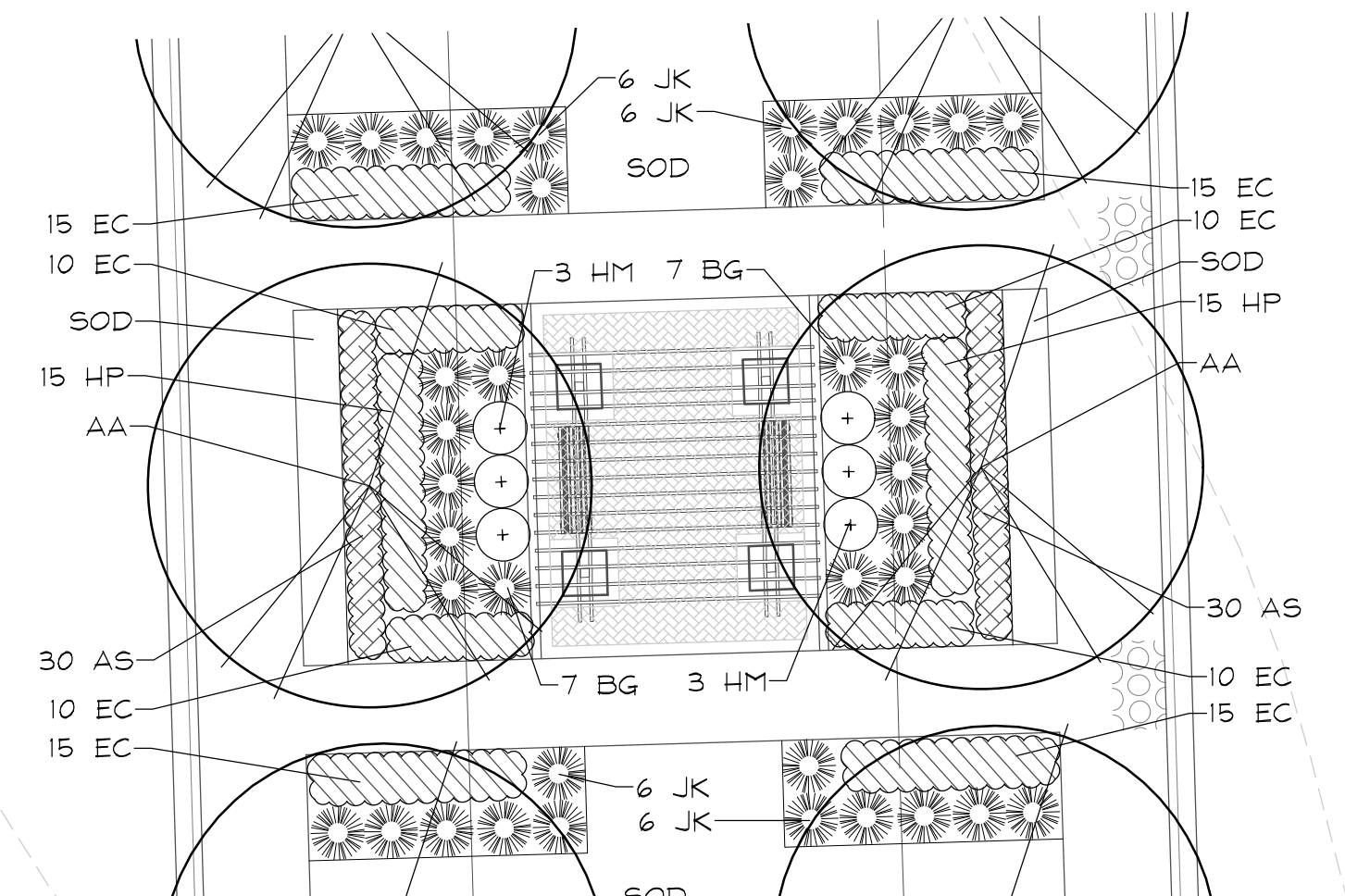


**NORTH ENTRY FEATURE
SEE DETAIL THIS SHEET**

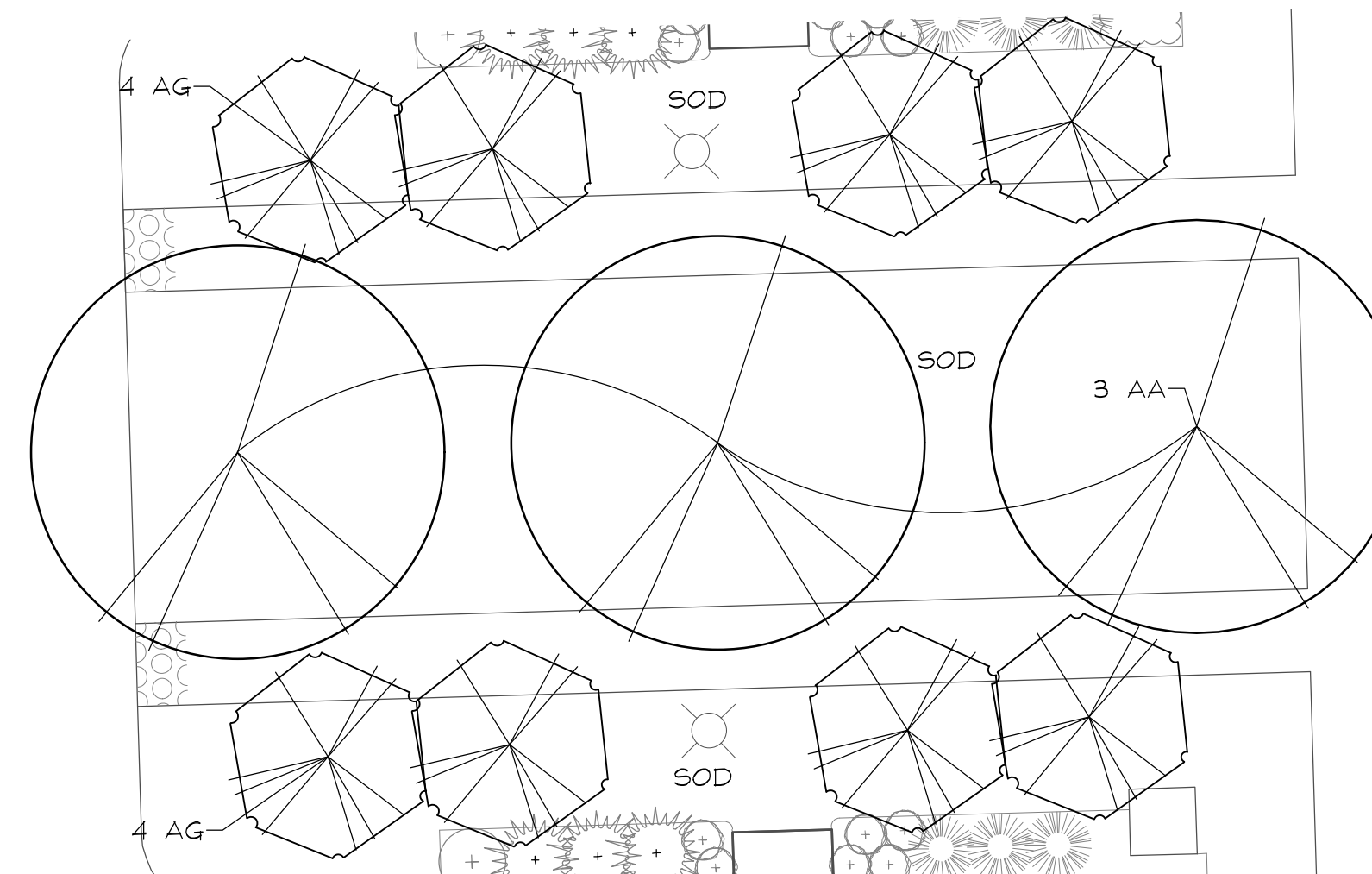
**EAST OPEN SPACE
SEE DETAIL THIS SHEET**



**NORTH ENTRY FEATURE
LANDSCAPE DETAIL**
SCALE: 1"=10'



EAST OPEN SPACE LANDSCAPE DETAIL
SCALE: 1"=10'



REVISIONS	DATE
3	9.25.2019
2	9.04.2019
1	8.08.2019

DATE 6.11.2019
PROJECT NO. LN1939
DRAWN GFB
CHECKED MGM
SHEET NO.

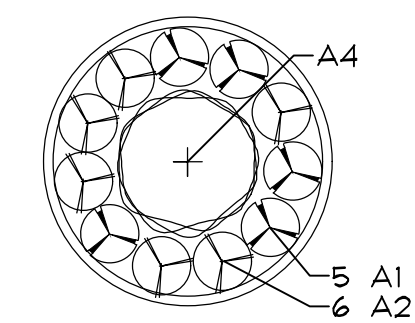
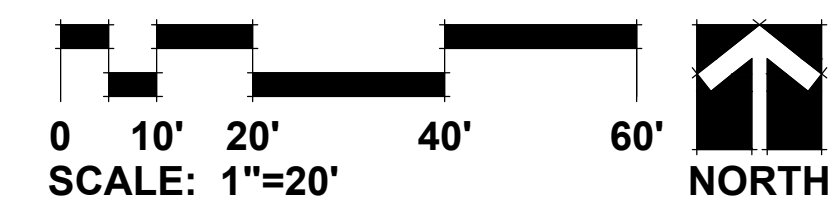
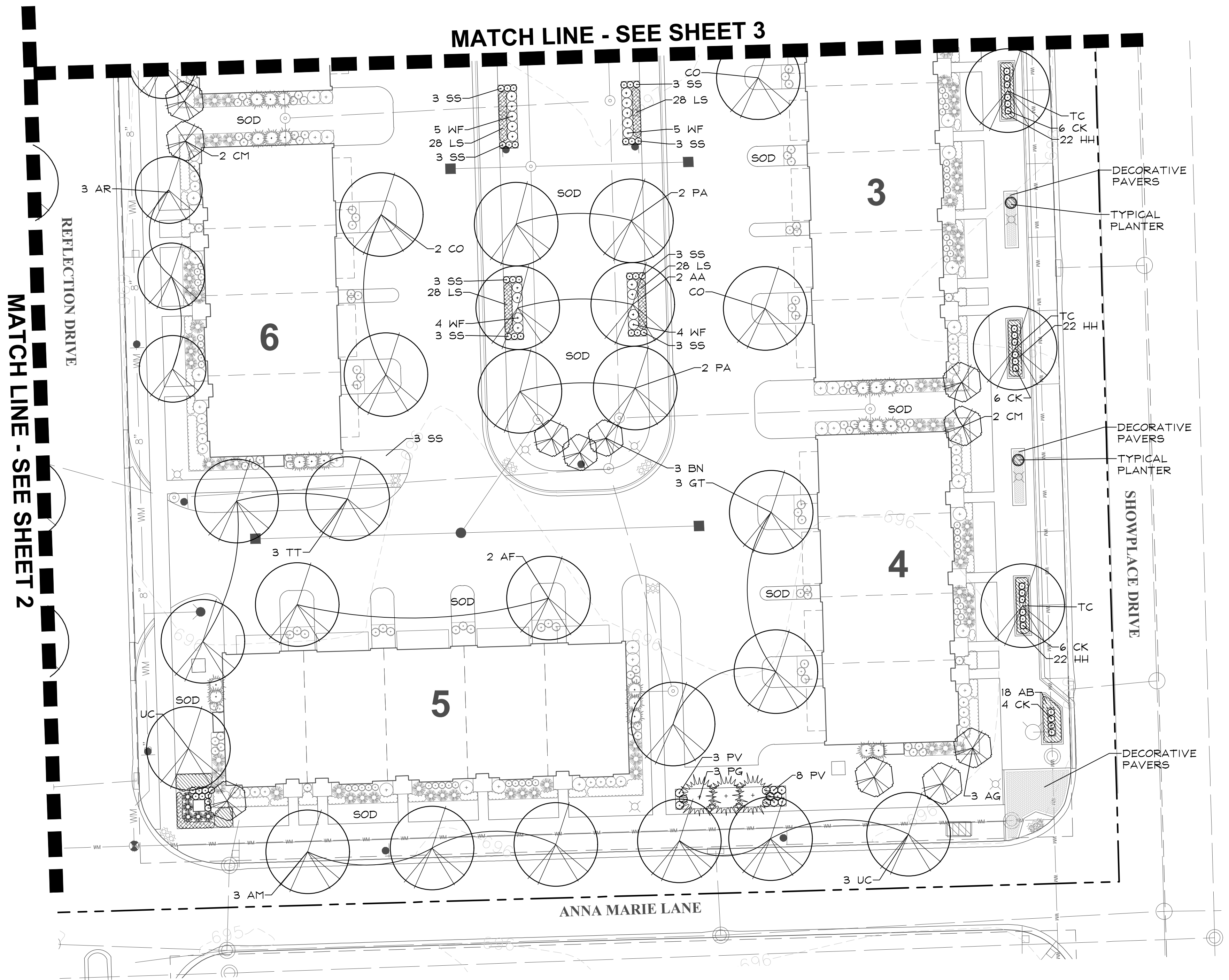




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ASSOCIATES, INC.
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ECOLOGICAL CONSULTING
LANDSCAPE ARCHITECTURE
402 WEST LIBERTY DRIVE
WHEATON, ILLINOIS 60187
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1141 E. MAIN STREET
SUITE 108
EAST DUNDEE, ILLINOIS 60118
ENGINEER
MACKIE CONSULTANTS, LLC
9575 W. HIGGINS ROAD
SUITE 500
ROSEMONT, IL 60018

NAPERVILLE CROSSINGS
NAPERVILLE, ILLINOIS
LANDSCAPE PLAN



TYPICAL PLANTER
SCALE: 1/2"=1'

PLANTER PLANT LISTS

SPRING ANNUALS		SUMMER ANNUALS	
Key	Common Name	Key	Common Name
A1	COMPACT LILAC SUNPATIENS'	A1	FESTIVAL YELLOW GERBERA DAISY
A2	DIAMOND FROST EUPHORBIA	A2	ASPARAGUS FERN
A3	HAY-SCENTED FERN	A3	FRENCH LAVENDER
A4	KING TUT EGYPTIAN PAPYRUS	A4	MOJITO ELEPHANT EAR
FALL ANNUALS		WINTER ANNUALS	
Key	Common Name	Key	Common Name
A1	ORANGE SYMPHONY AFRICAN DAISY	A1	TOKYO PINK ORNAMENTAL CABBAGE
A2	PURPLE SWEET POTATO VINE	A2	JUNIPER & BOXWOOD BRANCHES
A3	HAY-SCENTED FERN	A3	RED DOGWOOD BRANCHES
A4	PURPLE FOUNTAIN GRASS	A4	HOLLY & BIRCH BRANCHES

3	9.25.2019
2	9.04.2019
1	8.08.2019

REVISIONS

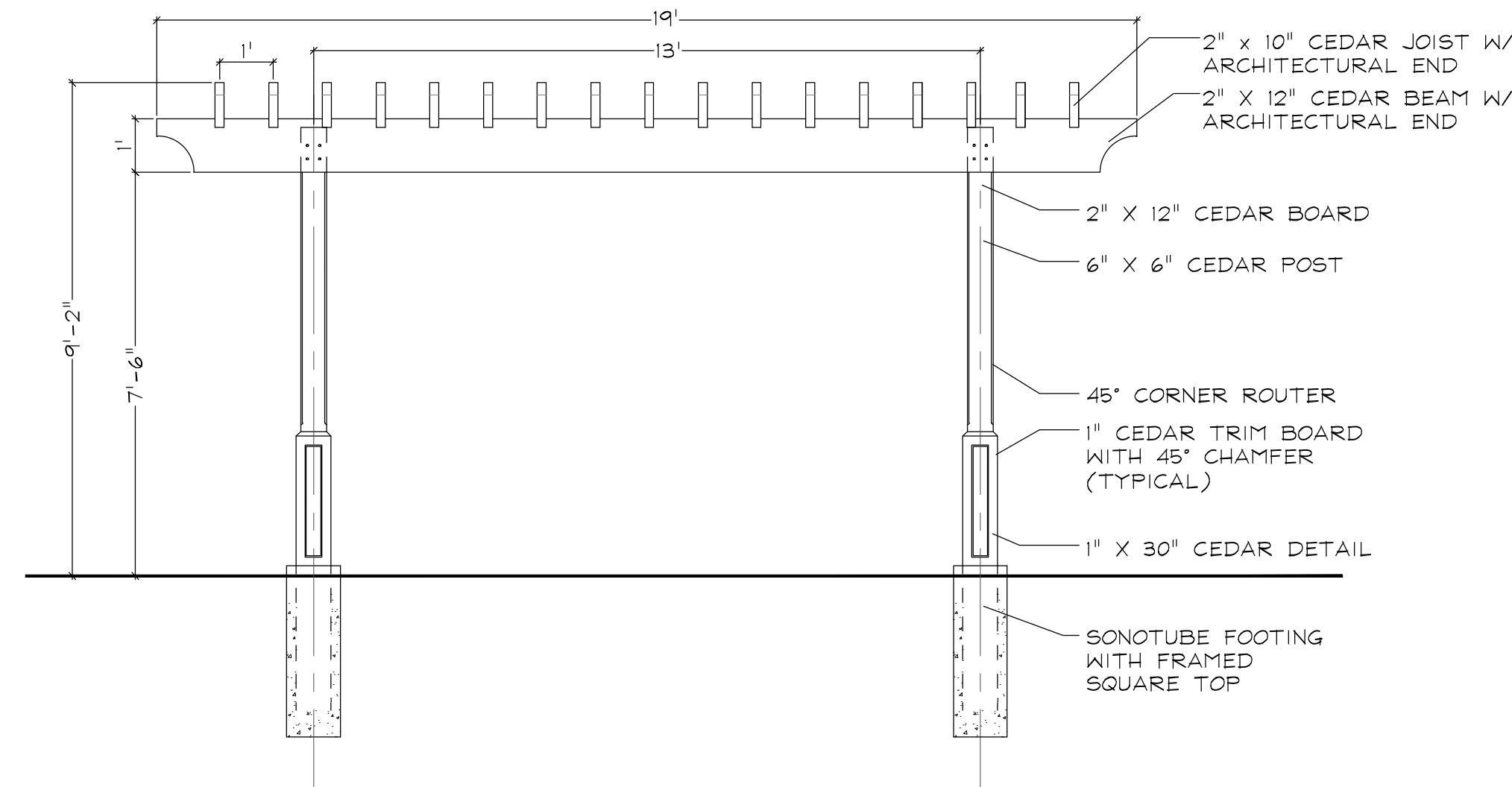
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PROJECT NO.	LN1939
DRAWN	GFB
CHECKED	MGM
SHEET NO.	



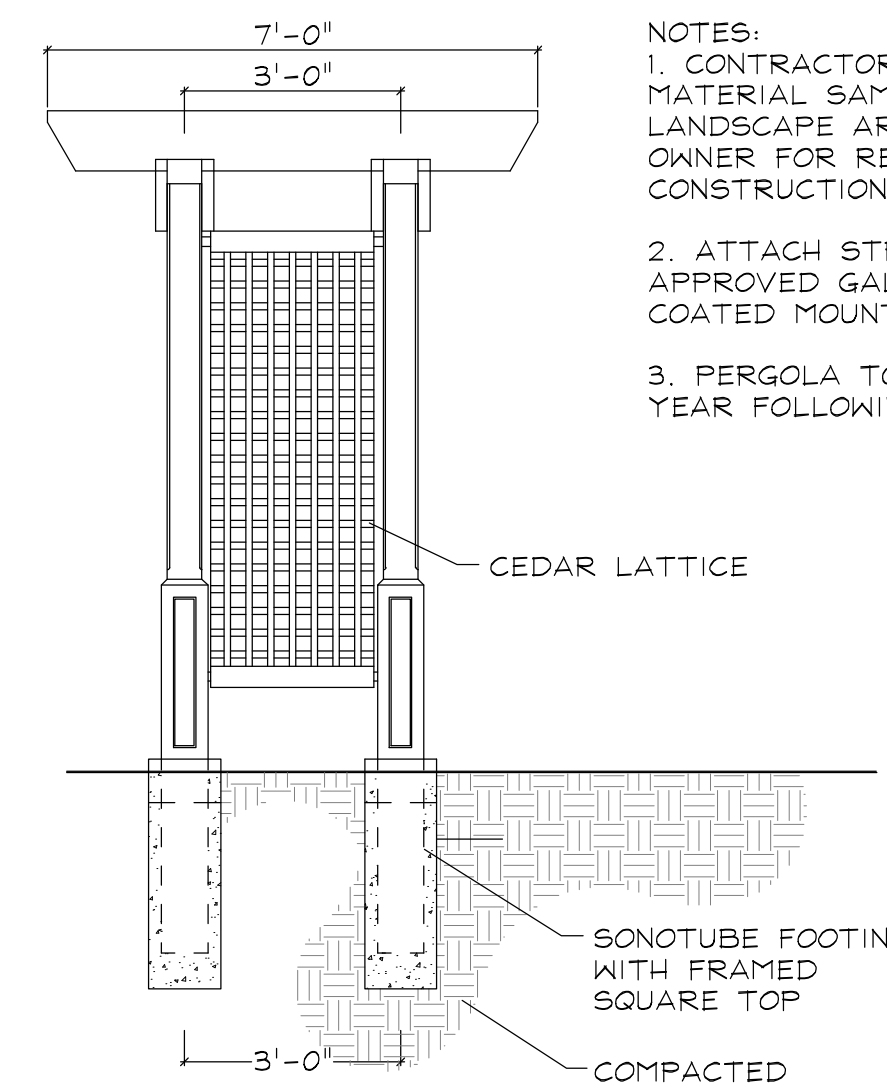


GARY R. WEBER ASSOCIATES, INC.
 LAND PLANNING
 ECOLOGICAL CONSULTING
 LANDSCAPE ARCHITECTURE
 402 WEST LIBERTY DRIVE
 WHEATON, ILLINOIS 60187
 PHONE: 630-668-7197

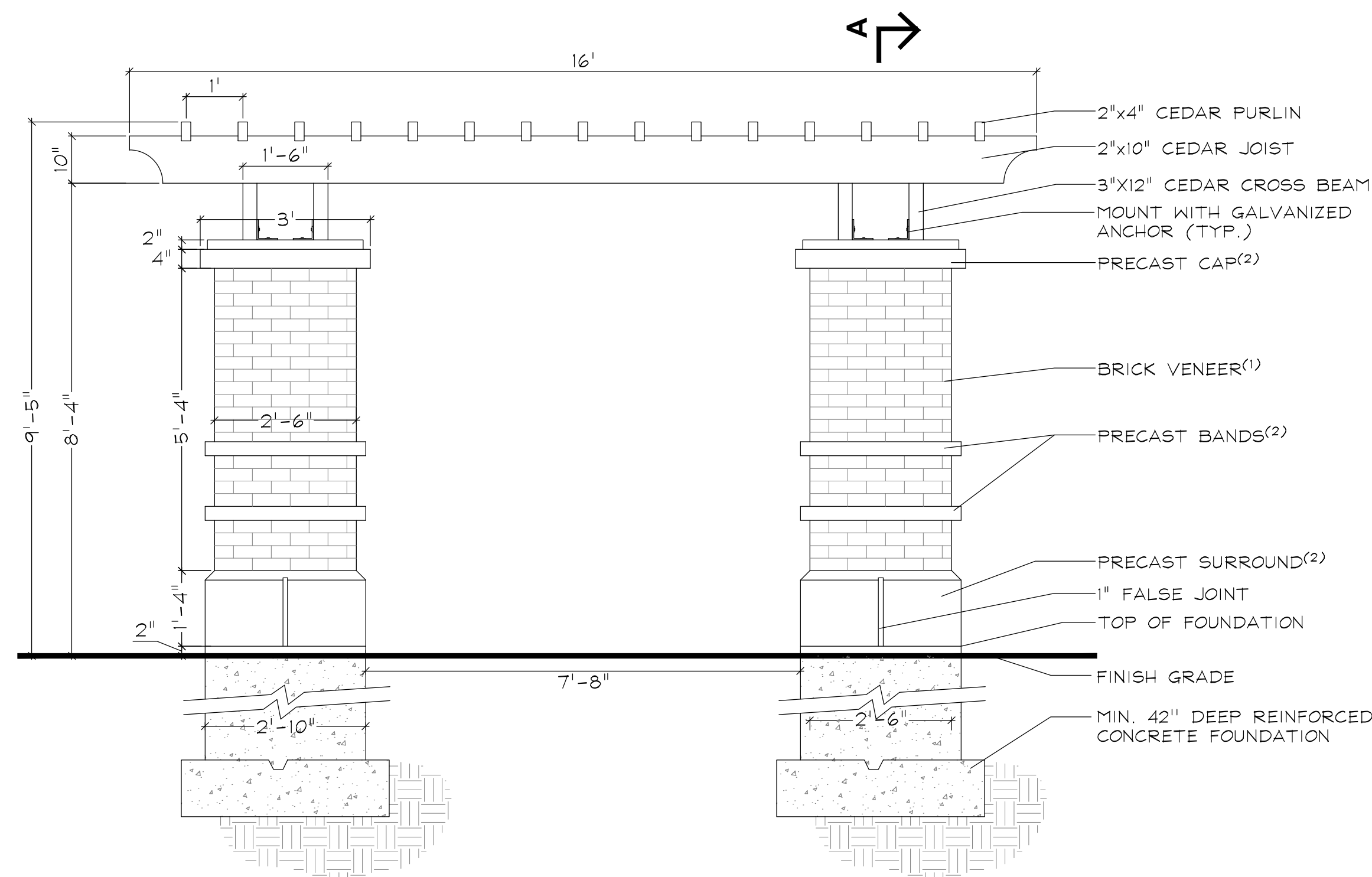
CLIENT
LENNAR
 1141 E. MAIN STREET
 SUITE 108
 EAST DUNDEE, ILLINOIS 60118
 ENGINEER
MACIE CONSULTANTS, LLC
 9575 W. HIGGINS ROAD
 SUITE 500
 ROSEMONT, IL 60018



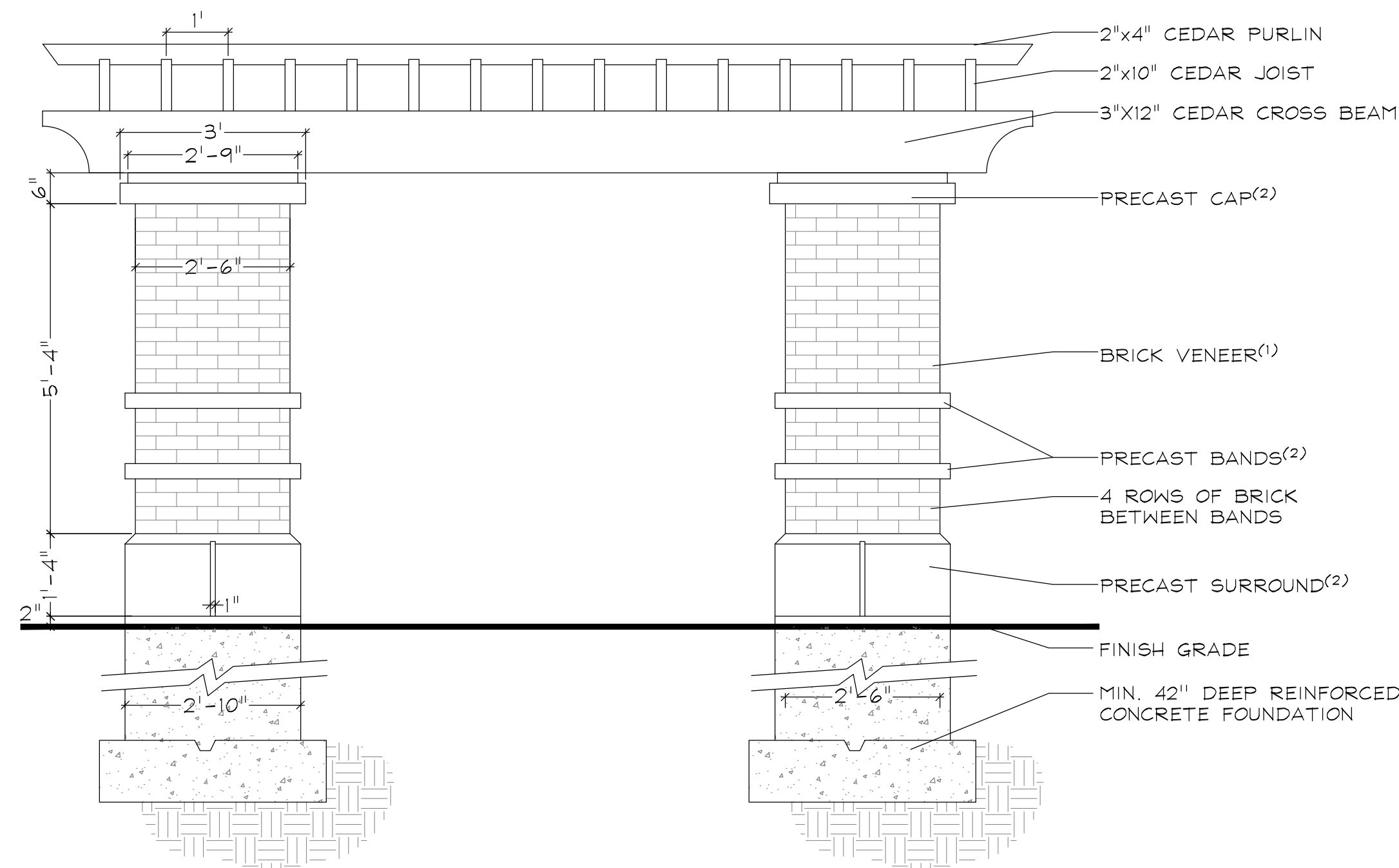
ARBOR DETAILS
 SCALE: NTS



- NOTES:
1. CONTRACTOR SHALL SUBMIT MATERIAL SAMPLES TO LANDSCAPE ARCHITECT AND OWNER FOR REVIEW PRIOR TO CONSTRUCTION.
 2. ATTACH STRUCTURE WITH APPROVED GALVANIZED ZINC COATED MOUNTING BRACKETS
 3. PERGOLA TO BE STAINED 1 YEAR FOLLOWING INSTALLATION.

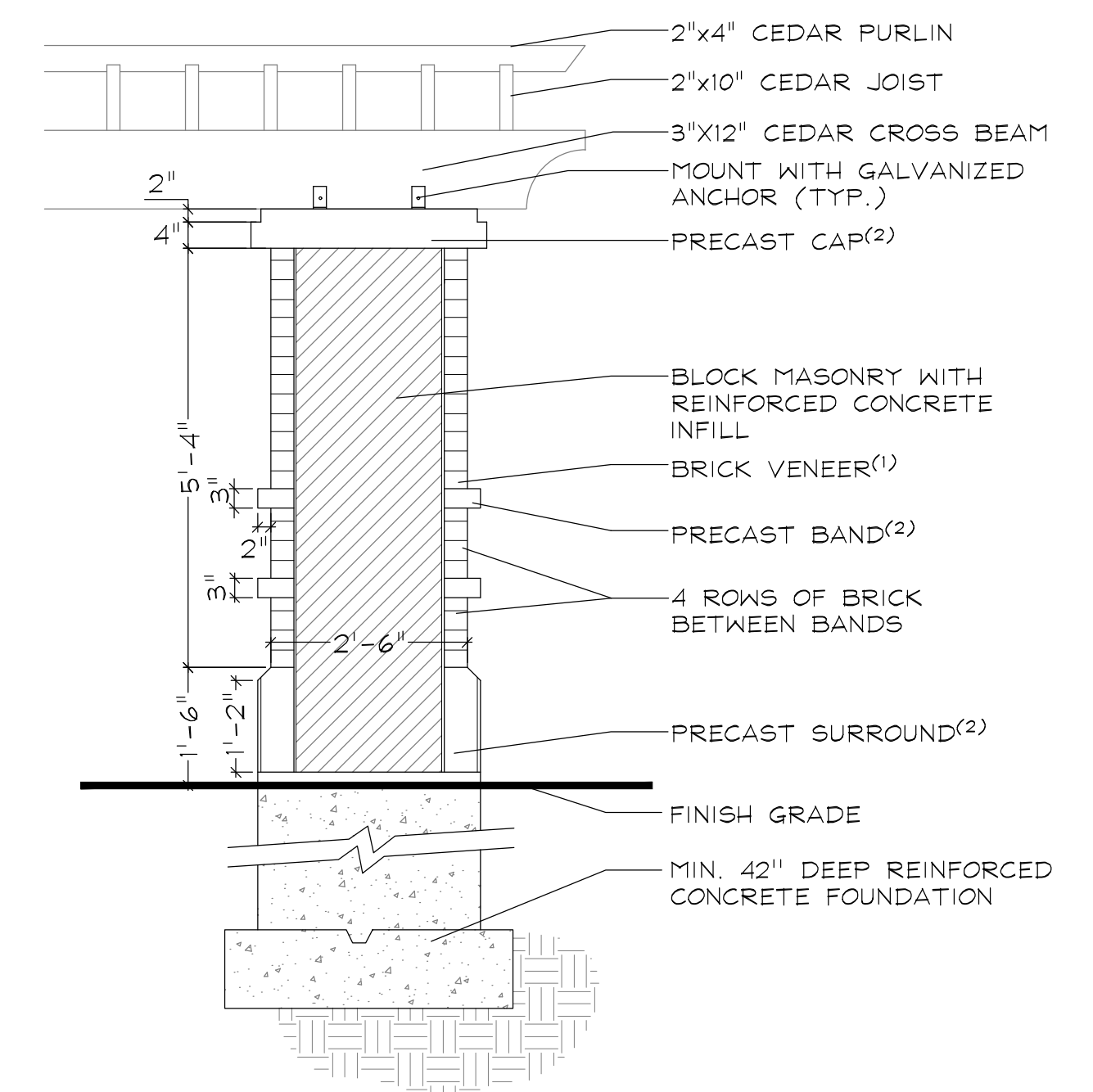


NORTH / SOUTH ELEVATION
PERGOLA DETAILS
 SCALE: 1/2"=1'-0"



EAST / WEST ELEVATION

- (1) BRICK VENEER
 MANUFACTURER: BELDEN
 STYLE: BERWICK RED RANGE
 SIZE: STANDARD
- (2) PRECAST CONCRETE
 COLOR: LIMESTONE OR
 APPROVED EQUAL



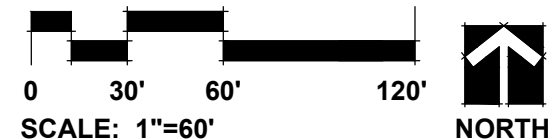
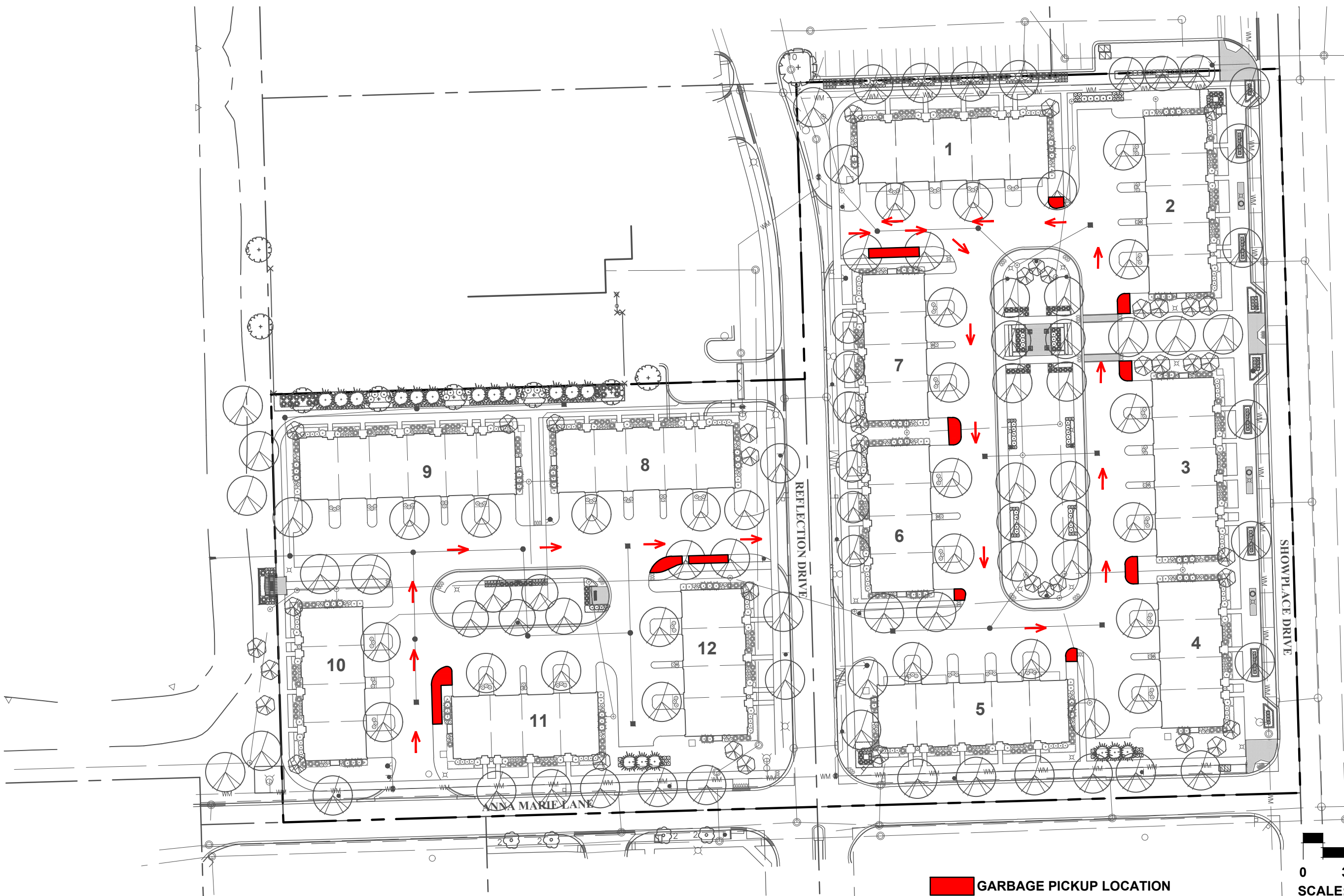
SECTION A-A'

NAPERVILLE CROSSINGS
 NAPERVILLE, ILLINOIS
AMENITY DETAILS

NO.	DATE
3	9.25.2019
2	9.04.2019
1	8.08.2019

DATE: 6.11.2019
 PROJECT NO.: LN1939
 DRAWN: GFB
 CHECKED: MGM
 SHEET NO.





GARBAGE PICKUP PLAN
 NAPERVILLE CROSSINGS
 NAPERVILLE, ILLINOIS
 9/04/2019

LENNAR



LAND PLANNING
 ECOLOGICAL CONSULTING
 LANDSCAPE ARCHITECTURE
 402 WEST LIBERTY DRIVE
 WHEATON, ILLINOIS 60187
 PHONE: 630-668-7197
**GARY R. WEBER
 ASSOCIATES, INC.**

L:\Projects\LN1939\Acad\LN1939_F01_01GP.dwg

9-30-19

Dear Mayor & Council members,

We live at 616 N. Broad for 55 years & not happy at all about the density of the 5th Ave. plans.

Denser than Water St. - No Way.

The congestion right now on 5th Ave. is horrible - Can't imagine what it would be like with 430 apartments added to our neighborhood.

Don't like the proposed height of the buildings & street parking on 5th Ave.

This is a residential neighborhood & our space is being taken away. Feel like we're being invaded.

We've given our input but, to no avail.

Please...

From: Jenn Zmrhal

Sent: Monday, September 30, 2019 1:24 PM

To: Chirico, Steve <ChiricoS@naperville.il.us>; Coyne, Kevin <CoyneK@naperville.il.us>; Hinterlong, Paul <HinterlongP@naperville.il.us>; Krummen, John <KrummenJ@naperville.il.us>; White, Benny <WhiteB@naperville.il.us>; Brodhead, Judy <BrodheadJ@naperville.il.us>; Gustin, Patty <GustinP@naperville.il.us>; Kelly, Patrick <KellyP@naperville.il.us>; Sullivan, Theresa <SullivanT@naperville.il.us>; Emery, Amy <EmeryA@naperville.il.us>; Schatz, Marcie <SchatzM@naperville.il.us>

Subject: 5th Avenue Development: Concept Feedback

CAUTION: This e-mail originated outside of the City of Naperville (@naperville.il.us).

DO NOT click links or open attachments unless you confirm the incoming address of the sender and know the content is safe.

To: Naperville Mayor and City Council:

Due to prior work and childcare commitments, I am unable to attend the next City Council meeting on October 1st, where the latest 5th Avenue Development Concept will be discussed. As a result, I am reaching out to you in writing to voice my concerns and reactions to the proposed concept.

My comments are focused on the topics below:

1. Overall concept density and design
2. Affordable/workforce housing
3. Ryan Companies
4. Financial paybacks

Overall Concept Density and Design

First and foremost, I find the proposed plan to be much too dense and urban to be situated among residential neighborhoods. This would be a great development in the center of a city but is entirely out of place in a Naperville neighborhood, where the residents, myself included, likely made a conscious decision NOT to live in an urban center. When my husband and I moved here from New York City, we thought about living in Chicago but specifically elected to be in a suburban, residential town environment and NOT to a city because we wanted to live in a place where we could raise our child in a safe environment, a place where he can ride his bike and walk to school without fear dense traffic or crime. We selected Naperville with these amenities in mind, also for the great, not-overcrowded public schools and with full knowledge of the high taxes – because it was a worthwhile investment to live here.

The proposed concept goes against most of the reasons and amenities for which we selected Naperville.

Of specific concern are:

- Building heights
- Residential make-up and density
- Increased traffic and residential safety

With the majority of building heights at 5 to 6 stories and over 90% of residences designated as apartments or affordable/workforce housing, building heights and residential make-up do not adhere to the results of the 2018 community survey.

As you know, the results of the 2018 survey showed that community members overwhelmingly expressed a desire for buildings with a maximum height of 4 stories – and generally less – across the development. With 5 of the 7 buildings in the concept at 5 or 6 floors, this goes blatantly against the desires of the community.

Further, the make-up of the residential portion of the concept is also contrary to the desires expressed in the community survey. The survey results clearly showed that the community was open to condos (owned) (67% top 2 box) and townhomes (57% top 2 box) and was not amenable to apartments (66% bottom 2 box) or “Affordable/ Workforce Housing (as defined by HUD)” (72% bottom 2 box). However, the proposed residential make-up is composed 92% of the undesired residence types (apartments and affordable/workforce) and only 8% of the desired types (rowhomes).

<u>Proposed Residences</u>	<u>Assumed Units</u>	<u>% of Total</u>	<u>As Stated in Concept</u>
Rental Units	287.5	71%	275-300
Affordable Units	60	15%	50-70
Workforce Units	22.5	6%	20-25
Rowhomes	<u>32.5</u>	<u>8%</u>	30-35
	402.5	100%	

I also question whether there is demand for this number of new residences, especially in light of the >1,575 new residences which have been approved in the past few years^a. To best of my knowledge most of these developments are not at capacity – and most haven’t even been built yet. Of the developments that have been built, there is still capacity – so why do we need 400 (or 25%) more units?

From a design standpoint, over and above the concerns I previously stated, I question why the greenspace behind the Burlington West Garage (adjacent to both the train tracks and Washington St.) is hidden from the community and faces only the train tracks? Why wouldn’t this be flipped to have greenspace on the 5th Avenue side to benefit the community not just the people in the building?

Affordable/Workforce Housing

Second, I am very concerned about the introduction of Affordable and Workforce Housing in this neighborhood.

Affordable housing was mentioned but was not a key discussion point during the community meetings and survey last year – this is a topic which feels like it was added late as a result of a separate initiative and could now have a significant impact on the neighboring area.

I already have safety concerns in this neighborhood with over 11 break-ins reported in Naperville since June and the fact that the Police are now advising residents to do nightly checks of locks and lights in their homes. Adding affordable housing to this equation makes me very nervous.

Is the Naperville infrastructure prepared for 250 or more lower income residents^b? Does Naperville have or is it prepared to bring in additional public safety personnel and support systems? If the answer is “Yes” then why are the 11 recent break-ins unsolved? If “No” then are these additional resources already factored into the financials? With the large number of children living in this area, I don’t think this is a risk any of us should want to take.

And I question, why with a multitude of other developments going into Naperville and nearby communities, has the 5th Avenue development been singled out for affordable/workforce housing?

Below is a list of generally-accepted concerns of adding low income housing to a neighborhood^c:

- The lower rents can impact the surrounding community negatively, as communal resources are stretched to more people, leaving fewer dollars per person.
- Negative impact on existing home values in the surrounding neighborhoods
- High crime rates of public housing
 - o A Justice Policy Institute report on Housing and Public Safety found evidence of a strong association between low-quality public housing and such social consequences as decreased educational performance, a higher incidence of drug-related crime and negative health outcomes. Violence and a lack of privacy due to crowded conditions is also a concern.
- The quality of people that will come into a neighborhood as a result of building a public housing unit.
 - o There is the fear that residents could be ex-convicts or other undesirable sorts who impact the quality of life of their neighbors

More specifically, a paper published in the National Bureau of Economic Research^d found that while housing projects funded through the Low Income Housing Tax Credit revitalize low-income neighborhoods, these developments cause house price declines of 2.5% in high income

areas (as defined by median incomes above \$54,000). The study found that higher income households are willing to pay more to live further away from affordable housing developments in areas where such properties are viewed as a dis-amenity.

The neighborhoods around 5th Avenue Station are not low income communities and therefore stand to endure negative impacts from this development.

Are you willing to risk an increased strain on the Naperville infrastructure coupled with reduced property tax revenue from reduced property values in these neighborhoods?

Ryan Companies

I continue to be concerned and question the City's decision to undertake a project of this magnitude via a single-sourcing process. What incentive does Ryan have to provide the best pricing and best proposal to a client who has publicly acknowledged that they do not have competition? Competition is the basis of our free market economy because it provides protections to consumers of fair pricing and quality.

Further, Ryan Companies has a history of partnering with a local municipality for a large project then walking away and leaving the community holding the bag financially. As I am sure you know, Ryan Companies left the town of Hoffman Estates with the vast majority of the \$55MM in Sear's Centre debt. (The 5th Avenue project is obviously slated to be a much larger scale financially). Because of Ryan's actions, Hoffman Estates property owners were subjected to a tax hike to help the village pay off the Sears Centre loan.

The lack of success of the Sear's Centre under Ryan was due in part to mismanagement. The Centre has seen more success since transitioning to a new management company. Why do we think Ryan will do a better job managing the 5th Avenue development which is much larger when they were unable to appropriately manage the Sear's Centre?

Again, I ask the City why you feel comfortable proceeding without competitive bids, especially with a company with a history of issues?

Financial Paybacks

Finally, after reviewing the estimated financial paybacks of the proposed concept, I am confused by the City's incentive to push this project through.

The financials presented by Ryan show cumulative tax revenue of \$58MM over 20 years, which implies approximately \$2.9MM in tax revenue annually or only a 1.7% increase from the Naperville 2018 revenue of \$167MM^f.

It feels to me that the annual revenue upside to Naperville from this proposed plan is disproportionately low as compared to the amount of upheaval and anxiety this is causing for such a small amount of tax revenue.

This increase also doesn't consider that the increased tax revenue expected from the other 1,575 approved residential units mentioned earlier. With the additional income expected from the other developments, is this project really necessary at this time as well? Is this upheaval really worth it for an extra \$3M annually in revenue – which, by the way, will likely take time to ramp up over the next 5-10 years.

And what happens if Ryan “walks away” from a \$287MM investment like they did in Hoffman Estates? How will Naperville manage this debt if it is thrust upon us? This is a risk I would not want to take from a financial and safety standpoint for such a minimal amount of annual revenue if I were Mayor or a Council member.

In conclusion, there has visibly been a lot of anxiety from City Council and the residents about this project and the process over the past year. Now that we have a peek at the tax paybacks, is it really worth it to put the city at risk financially, potentially cause detrimental effects to the surrounding neighborhoods from traffic, crime and unnecessary density and alienate your constituents?

Thank you for your consideration and I trust you will do the right thing for the local community and engaged residents at the City Council meeting on Tuesday.

Regards,
Jenn

Notes and Sources:

- a) Details of selected new residential developments are below. Sources include newspaper articles and builder websites.
- b) ~250 low income resident estimate is conservative based on estimated 3 people per affordable/workforce unit. Realistically expect more than 3 person average per unit.
- c) Sources: <https://www.citylab.com/equity/2016/05/which-neighborhoods-win-by-building-affordable-housing/481209/>
<https://homeguides.sfgate.com/pros-cons-public-housing-8497.html>

Development	Units	Notes
Apts near Calamos	285	285 units aproved despite opposition from school district https://www.chicagotribune.com/suburbs/naperville-sun/ct-nvs-calamos-apartments-interstate-88-naperville-st-20190905-23j3ybozmrbznkm3vxqslh6oe-story.html
Ashwood Crossing	102	Ashwood crossing (65+ community): pulte homes; 61 homes + 21 duplexes (or 42 units)
Ashwood Park	66	All of the new (pulte?) homes that are down by 103rd st by Pete. Those are all new and don't look "unaffordable" – ashwood park – 66 homes per website
Avenida	146	Sr. Living on Mill – Avenida– 146 units; mayor as investor? https://www.chicagotribune.com/suburbs/naperville-sun/ct-nvs-naperville-senior-apartments-backed-st-0721-20170720-story.html
Columbia Park Townhomes	40	New townhouses where gus = Columbia park townhomes (pulte); 8 buildings with 5 units each = 40 units
Ellsworth Station	39	New apartments by train station; https://www.chicagotribune.com/suburbs/naperville-sun/ct-nvs-naperville-condos-senior-living-development-st-0422-20160421-story.html
Great Western Flooring Apts	Unknown	Units above new retail space
Naper Settlement Townhomes	Unknown	Townhouses across from naper settlement
Naperville Crossing Development	Unknown	New development behind Naperville crossing movie theater
New apartments behind Fox Valley Mall	Unknown	New development behind Fox Valley Mall; # units TBD; technically Aurora but still close to Naperville
New condos on Main St/Phase 3	72	72 condos approved https://www.chicagotribune.com/suburbs/naperville-sun/ct-nvs-main-street-promenade-residential-retail-st-0616-story.html
New townhouses by Central Park	3	Great Western is flooring provider
Old library development	Unknown	New homes as part of old library development
Park Addition Townhouses	4	New townhouses behind great western flooring - not sure exact number estimate 4 - 6
Park's Edge Townhouses	10	New townhouses on plank by Seager Center – Park's Edge: 10 units
Polo Fields	500	500 - 700 homes both noted in newspaper articles; not sure final number so assuming lower end
Shoppes on Washington		New retail and office space development by trader joes
Wagner Farms	312	Pulte (Rt 59 & 95th)
TOTAL	1,579	

- d) Who Wants Affordable Housing in Their Backyard? An Equilibrium Analysis of Low Income Property Development <https://www.nber.org/papers/w22204>
- e) Sources: <https://arenadigest.com/200907082805/hockey/minor-league-hockey/sears-centre-may-default-to-hoffman-estates>
<http://www.hoffmanestates.org/home/showdocument?id=2758>
<http://prev.dailyherald.com/story/?id=343035>
- f) Source: <https://www.naperville.il.us/globalassets/media/finance-documents/budget-audit-reports/2018cafr.pdf>

From: Scott Zmrhal

Sent: Monday, September 30, 2019 11:42 AM

To: Chirico, Steve <ChiricoS@naperville.il.us>; Coyne, Kevin <CoyneK@naperville.il.us>; Hinterlong, Paul <HinterlongP@naperville.il.us>; Krummen, John <KrummenJ@naperville.il.us>; White, Benny <WhiteB@naperville.il.us>; Brodhead, Judy <BrodheadJ@naperville.il.us>; Gustin, Patty <GustinP@naperville.il.us>; Kelly, Patrick <KellyP@naperville.il.us>; Sullivan, Theresa <SullivanT@naperville.il.us>; Emery, Amy <EmeryA@naperville.il.us>; Schatz, Marcie <SchatzM@naperville.il.us>

Subject: 5th Avenue Development: Community before Commerce

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City Council. City Staff. Mr. Mayor.

Unfortunately, I will be traveling for work tomorrow during the upcoming City Council meeting regarding 5th Avenue. As such, I wanted to share some thoughts and concerns and namely, request that you vote “No” to moving forward with Ryan and the most recent concept.

First of all, I would like to thank our community for staying involved. Whether an advocate for something significant or something minimal, it is just good to know that people care.

Second, I’d like to thank Ryan for their continued interest and investment in this project. They no doubt see the opportunity this represents. Unfortunately, it is not clear whether they are focused on the financial opportunity for them or the opportunity to better our community.

Point #1. Context is King.

At the moment, there are a significant number of developments (or potential developments) happening throughout Naperville as we speak, nearly all of which get similarly impassioned neighbors flocking to City Council to share their concerns. Unfortunately, we may or may not be aware of all of these because of the sheer size of Naperville and candidly, we may not care that much if they are not immediately in our backyard or they don’t have an immediate impact on our daily lives. I am not innocent. Who among us has not heard about 1 or 2 of these and shrugged, thinking...Oh, well, at least it is not in my backyard. Well, the truth is –these are all happening in our backyard.

To give you a small taste: We are turning Polo Fields (and really, a great place for our kids to play soccer) into 500+ homes. We are turning farm stands and a tree nursery into an additional 300+ homes. A quick search on Naperville, Development and Opposition nets you:

- The Shoppes on Washington
- Polo Club by DR Horton
- Townhomes at Naperville Crossing
- Lincoln at CityGate Centre
- Avenida Naperville
- Wagner Farms by Pulte Homes

...to name a few. Collectively, they will impact all of us. Who enjoys driving down Rt. 59? Trying to get from downtown Naperville to Frontier Park for practice or games? The one thing these ALL have in common – stiff opposition from the local neighborhood. Yet you, our leaders plow forward. Are you not thinking holistically about the impacts? Will you, City Council, Mr. Mayor take personal responsibility if Washington Ave. gets even more congested in the evenings? Of course not. What if these fail and look like Ogden Ave? These are things that cannot be undone easily or cheaply.

The reality is – for people like me and those that live in Park Addition – many of us moved here knowing there were commuter lots near the train station and that a similar development effort got shut down years ago. We are not signing petitions or screaming out for tall buildings. No, we are speaking up to keep this place closer to what it is and where we chose to move. We like that downtown is not at 5th Avenue Train Station...we do not need another. I urge you to stop this process and proceed with a materially toned down approach.

Point #2. Setting the Anchor.

During one of the first City Council meetings on 5th Avenue, I spoke about a negotiation tactic called anchoring. It is the process by where you get the other party to “anchor” or agree to start to negotiate from a position that is beneficial to you. In short, start them off closer to where you want to end up than where they do. As predicted, Ryan’s sales team has done exactly that in their original concepts and paid that off in this latest presentation. Just looking at the latest concept and man does it seem like they’ve done some impressive work to take our feedback and tone down the concept, reduce size, add greenspace, etc.. Smoke and mirrors – that is all that is. Fortunately, we were not born yesterday. Neither versions of the concepts are remotely accurate in reflecting community input (see every survey completed). It is also convenient that they did not present an overall size for the multi-story parking decks, condos, or homes. This is nothing but a sales tactic and downplays the overall size and magnitude of the height and density that will destroy our neighborhood. Make no mistake – this thing is MASSIVE.

Does anyone have an accurate figure on the overall size of this development, as depicted? We need that figure. In the absence of that, looking at pretty pictures does not give anyone the sense of the true size and density.

Now, I for one am not willing to anchor or start the conversation with Ryan on the current concept, much less their original concept. For all intents and purposes they are fantasy plans based on their ROI, not improving the neighborhood. Where I am willing to start is the current state. No buildings exist, parking is at the ground level, neighbors can see trees across the tracks and the blue sky. We should go through each and every aspect and confirm if there is a real need – something that has not been done to date. I ask you to start at where we are today and ask yourself – have we really justified the need for such density? There answer is no. I ask you to vote “No” to moving forward as the baseline concept is not the right starting point for our community.

Point #3. Doing the Deal.

Simply stated, there is more than 1 way to get this deal done. For some unexplainable reason, the City has sole sourced a project to Ryan that does not have scope. It is unfathomable to me why this was done. From the moment that decision was made, Ryan’s ROI trumped everything else. That is undeniable. Every decision includes the calculus to ensure Ryan makes returns value to **their stakeholders, NOT the residents of Naperville.** Now, if the City and people came up with a mutually

beneficial plan for 5th Avenue and then bid out the work – we would put OUR interests ahead of Ryan’s bottom line. We should demand better. You, as our leaders, should demand better.

I do not need to get into the details of how the process flies in the face of Naperville’s publicly documented process, but we must demand of you, Mr. Mayor and City Council that you rethink this approach to doing this deal. Put the City and the Residents ahead of Ryan’s bottom line. In the absence of that, all we are left with is Ryan’s slick sales pitches. Fancy sales words and the interests of some of our City leaders are being put ahead of the long-term benefit of the community.

In a meeting I had with the Mayor, the tragedy of this construct came to light. When discussing the first round of concepts, the Mayor stated, *“I wish there was more greenspace...and I’d be willing to give more building height for it.”* **WHAT?!?!** Apologies, but that statement is ludicrous. We own the land! We don’t have to give up anything. Nothing needs to be traded off if this deal was done differently. However, since every public benefit or non-Ryan revenue generating aspect is directly correlated to them adding more, that is the unfortunate situation you have put yourself into.

I ask you to stop this process and unwind the City’s tie to Ryan. It is negatively impacting how a mutually beneficial development can proceed. Every tree, public space, etc. does not need to be traded for another floor of sun blocking, soul crushing, neighborhood raping, concrete mass. That is the opposite of progress.

During this process we’ve heard Ryan’s Sales Team talk about future-proofing the development. Sounds great – why didn’t they think of that when they partnered with and then walked away from the Sears Center in Hoffman Estates. Does Naperville want to be on the hook for the same?

Recently we’ve heard them talk about being the first WELL Community within Illinois. WOW...that sounds great too. Let’s unpack that a bit. First of all, the city of Naperville and the current residents will not live in a WELL community. There will be 1 single development in Naperville with WELL certification. And just to state the obvious, the vast majority of people that could potentially live in that WELL certified development are NOT the people that currently live in the surrounding neighborhood. They talk about Light, Water, Community...let’s talk about monstrous height blocking out the current neighborhood’s view of trees, sky, etc. Let’s talk about increased traffic and congestion on the already crowded streets. So yes, maybe the development may be WELL, but the impacts on the Park Addition, Pilgrim Addition, etc. are decidedly un-WELL.

Point #4. Explore the Range.

Ryan has presented a concept that sits on one end of a spectrum of possibilities. When Ryan presented their original concepts, I asked the City to explore the other end of that spectrum. Remove the constraints of the current process and commitment to Ryan for a moment. Issue a different mandate or vision for the space, one that puts greenspace, community engagement, respect for the current neighborhood, etc. ahead of anyone’s bottom line. Imagine parks and sports fields on Kroehler Lot, modest 2 story parking lots, embracing the DuPage Children’s Museum and giving them more exploration space for our children and NOT blocking it w 6 stories of concrete, including plaza space closer to the residents and not just facing the tracks... that starts to feel much different and closer to what we have along the Riverwalk, near the Carillon, by Centennial Beach. That feels like a community, like an extension of a neighborhood – not something that literally has its back to the neighborhood.

You owe it to the City and residents to explore that end of the spectrum. As I've mentioned before, there are different ways to fund that...we should not limit the realm of possibilities because another organization's bottom line trumps the "love index" our residents feel for Naperville. Please demand that.

One Final Point:

I will let my neighbors get into specifics about the development. I am not there yet as I do not think we are at the stage where anything should be discussed in terms of specifics. Ryan has not taken our input into account and I am shocked this is even being seriously considered. Nearly every time I speak in front of City Council I ask about how you would feel if this was in your backyard. Well, I happen to find a quote for one recently. When asked about the Shoppes at Washington (which is preciously close to where the Mayor lives), the comment was:

"I was relieved when I saw such a modest development being proposed here," Mayor Steve Chirico said. "It looks so nice. It fits so nicely. It's thoughtful."

Relieved. Modest. Yes, those are the words he used. You can't make this stuff up. When these types of potentially massive developments hit close to home, close to where you live, the tune changes a bit. Well, I would be relieved when you treat the rest of Naperville with the respect that you show your own enclave and put a more modest development in our neighborhood.

I leave you with this. On the "Riverwalk Visionaries" plaque, it talks about how the vision was to be a "gathering place for the community". You have a great opportunity here to follow in the humble footsteps of those that came before you and **put community before commerce**. I ask that you vote accordingly and not undo the charm and comfort of our neighborhood.

Scott Zmrhal.

From: Allison Longenbaugh
Sent: Tuesday, September 24, 2019 12:26 PM
To: Council <Council@naperville.il.us>
Cc: Emery, Amy <EmeryA@naperville.il.us>
Subject: Train Station Development comments

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Dear City Council members,

Thank you for inviting Ryan to address the public and Council last week to present the newest baseline concept drawings for the 5th Avenue Train Station Development. I attended that meeting and the Steering Committee meeting last night.

The drawings are much better than last year's concepts. But better doesn't mean good. I'm worried that once we start down the road with these drawings, there's no turning back. Please read the detailed minutes of last night's meeting. While the SteerCo agreed that the baseline has enough to be a place to start, there were serious reservations about this particular baseline being the right place to start. The SteerCo's vote does not reflect the lively discussion about the baseline itself. (Your Operations Manager is impressive!)

Please vote no at next week's meeting to the current baseline drawing and ask that Ryan provide a reduced baseline. Councilman Coyne, you stressed at the 5thAvenue workshop meeting in July that Ryan needs to listen. Unfortunately, the drawings do not reflect that they heard you or the community. Ryan continues to ignore the results of the community input survey, especially when it comes to height. Please hold Ryan accountable to what they are hearing from the community. I'm not asking to scrap the entire thing. A reduction in the number of units and lowering the height from 84' to 50' is not an unreasonable ask. They produced these drawings quickly and should be able to get a more reasonable baseline published by the end of October. Can we please table this vote until the November meeting to give everyone some time? (Not to mention that if the Opt In/Out Referendum is also on the agenda, that we are potentially all in for a really late night!)

Here are my specific thoughts on topics that the Steering Committee discussed:

Traffic

The city should commission an independent traffic study immediately to model how each component of the play will affect the surrounding areas. I am extremely concerned about the impact of commuter traffic on the school experience. My daughter was hit by a car turning south onto Washington/Spring while riding her bike over the summer. She was fine, but another neighbor's daughter was hit on her bike in the same location on a different occasion after school, and went to the hospital. Adding 500+ spots to the DCM lot will only add to the problems.

Parking/Commuters

I'm worried that commuters are not aware of the potential changes. Could Ryan bring back their train station placards with drawings of the proposed parking changes? I was a bit shocked that some panel members view the opinion of commuters as unimportant, and that if there isn't enough parking, they should "find alternatives" and "stop driving". They even called for a reduction in spots by 1,000! Councilman Krummen, you did a great job awhile back of rebranding this as the "Train Station Development", not the "5th Avenue Development". While some new amenities will benefit non-commuters, this is and will always be a train station. I also encourage you to read what one of the speakers said about the plaza becoming a "stage" for people choosing to die by suicide. It was very powerful and was the first time anyone had addressed that issue.

Height & design

The height is still taller than anything in Naperville. We asked at one of the workshops two years ago to have nothing taller than Kroehler. My reasonable height is 50'. I am okay with a graduated height. Row houses along 5th Avenue stepped up to a reasonable taller height (e.g. 50') would look nice. The current proposal has buildings 20' taller than Water Street, almost double the height of Kroehler, and taller than anything in the city of Naperville. Even if the survey said some residents would be okay with 4-6 stories, to claim that their 5-story building at 84' fits those survey results is disingenuous and misleading.

Land use/density/affordable housing

In line with my comments about the baseline, isn't it easier to add units to the baseline than to remove them? As part of any impact study, I would love to see how adding any number of housing units impacts the four surrounding neighborhoods. For example, how many residents live in the 4 surrounding neighborhoods now and how many people does 400 rental units represent? What does adding that many people mean for the neighborhood infrastructure? We already know it will bring a lot of traffic. But what about infrastructure? Eg utilities, storm water, sewage, cable TV and internet speeds, etc. Regarding affordable housing, no matter how nice the building looks, there is a stigma to segregating it into one building, so part of the new baseline should be to show it integrated throughout. Also, shouldn't some affordable/workforce housing be for families and not just for 1-2 person dwellings? I got the impression that the units were all to be studio or 1-bedroom. Is this to be affordable housing targeted only at Seniors or at families, too?

I would ask that Council request that Ryan go back to the drawing board with some of these specific changes. I know that development is coming. Let's see where we can compromise so that everyone is happy. Residents need more time to digest a \$300M project. This is a big deal for the city of Naperville, and it deserves ample time for discussion. There is already a taint on this project because of how it started. Please take that into consideration when voting on Tuesday. Again, I'm not against development. I'm just against development that completely ignores the input of the community. Tapping on the breaks for a month to allow the community to have a say in the process would go a long way to repair the trust lost in this process.

Thank you,
Allison Longenbaugh
609 N Brainard Street

Sent from my iPhone

5th Avenue Redevelopment - September 23rd Comments

Steering Committee,

I will not be able to attend this evening's meeting. I appreciate that some of the concerns I expressed at the September 19th Public Meeting are to be discussed, but wish to make those and some of the other's more clear.

The Concept Draft has some improvements over the earlier concepts, but still is still far to dense to the area which not only adds congestion to an already congested area, but has flaws in terms of commuter access and extremely limited public green space. I believe, that if the density is limited as so many other people have requested, that the green space and commuter access issues may be more easily addressed.

The commuter access and green space concerns I have with the Concept Draft are:

1. **The historic Burlington Square Park should be left alone.** In multi-modal option 1, 6 mature and 2 small trees would be destroyed and the Blue Star Memorial marker would be displaced. Multi-modal option 2 seems to leave the park alone, but has other flaws.
2. **17 north side Kiss 'n Ride and 22 south side kiss and ride spaces is too few and some spaces should be reserved as such throughout the day.**
 - a. The 2012 study showed a peak of 22 on the north side and 25 on the south side. I doubt it has gotten less.
 - b. Taxis, residents passenger cars (including out of town Amtrak users), Uber, and Lyft currently all use the existing Kiss 'n Ride spaces. It is not just residents passenger cars as was implied in the September 19th meeting.
 - c. **Kiss 'n Ride goes on over 18 hours a day where as bus traffic is only about 4 hours.**
 - d. The concept that the Kiss 'n Ride spaces may be used by adjacent residents, office workers, and retail users during non-peak commuter hours is flawed. There will be no empty spaces during non-peak hours for Kiss 'n Ride drivers to wait. Having Kiss 'n Ride drivers go one place during peak hours and another during non-peak hours is also confusing and frustrating — it causes vehicles to wander unnecessarily around the station area.
 - e. Many of the Kiss 'n Ride users are infrequent users who will have no clue how to navigate the area. Granted, there are fewer Kiss 'n Ride users than daily commuters, but daily commuters know the lay of the land whereas infrequent users do not. It is unreasonable and creates a negative impression of Naperville to make it difficult for visitors to navigate the station area.
 - f. Many vehicles wait in parking spaces on the north side which, because of the surface parking, is difficult to measure when doing traffic studies.
3. **Moving the south side Kiss 'n Ride away from Burlington Square Park to an alley off the Parkview Lot creates an unpleasant commuter experience and it would be farther from the Ellsworth underpass.**
 - a. Kiss 'n Ride drivers are going to simply drop their passengers off at the point closest to the Station rather than driving around to the alley. This will cause congestion at peak hours.
 - b. Kiss 'n ride drivers are going to hang around the station at off hours waiting for passengers and not drive around to the alley.
 - c. Again, Kiss 'n Ride goes on over 18 hours a day where as bus traffic is only about 4 hours. Infrequent users are going to be confused. They are the ones who typically need to go to the station for tickets and other personal assistance. These infrequent users also tend to be more likely to be families, seniors, or people with disabilities and will have to walk further to get to the station and have to walk further to meet their party.
 - d. Kiss 'n Ride commuters living southeast of the station will have a harder time leaving the station

area The left turn back out onto North from the alley is close to Washington and obscured. This exit currently is one way. If the exit is two-way it will be more dangerous. If it is one way, it forces southeast commuters to commute on the already over congested Washington Street.

- e. If Kiss 'n Ride is to be separated bus traffic on the south side, put the buses in the alley and along the tracks and let the Kiss 'n Ride stay near the station and Burlington Square Park.
4. **There is only 1 parking space for each of the 70 units in the Parkview lot.** There is no room for 2 cars per unit nor guest parking. This pretty much guarantees guest parking will occur in the Kiss 'n Ride spaces. This 2nd class allocation of parking is yet another reason to disperse, not isolate affordable housing.
5. **Affordable, workforce, and market rate units should be interspersed among Parkview, Water Tower and Burlington lots.** Affordable housing should not be isolated and starved of public amenities as it is shown in Concept. Should affordable units be isolated, they should have access to more not fewer public amenities.
6. **Permeable areas including public green space should be increased over what it is today.**
 - a. **The amount of existing permeable greenspace should be measured so it can be compared to the purported permeable greenspace in any concept.** (The existing area, as dismal as it may seem, is not 100% impermeable as it has been portrayed. Every concept has built or paved over existing patches of greenspace and each concept only measures area carved out after the fact.)
 - b. **There are no annotations to back up the claim of 43,000 sq ft public green space.** As before about 12,000 of this purported green space is the BNSF property north of DCM and south side of the track. This is not part of the development lots. Probably about 18,000 sq ft of green space is added on the Kroehler Lot. To the concept's credit it seems to preserve the green space at the Water Tower Lot which seems to be about 9,000 sq ft. That leaves perhaps 4,000 sq ft of greenspace for the most densely populated Burlington and Parkview lots. In the Concept's tally of green space, the green space that will be paved over on the DCM, Burlington, and Parkview lots is not accounted for. That lost green space is easily as much as the proposed park on the Kroehler lot. Thus, it seems that this redevelopment is complete wash in terms of adding green space to the area.
7. **The densest housing is on Parkview lot, Burlington, and Water Tower lot, yet a park is added next to the row homes and existing single family residents where it is least needed.** The park on the Kroehler lot would be better placed on the south side of row homes, and on Loomis. This would give at least give better access to resident at the 5th avenue Station and Water Tower lot. It would also help break up the concrete mass of the area.
8. **Much of the terraced walkway plaza space is simply wasted space.** The amount of space allocated to steps is way out of proportion to what is needed. Probably about half of the step area could be used as green space by converting much the triangular concrete patches to greenspace.
9. **Moveable landscape urns and planters are not green space.** They are barren half the year, non-sustainable, and expensive to maintain.
10. **Trees in trees grates are not sustainable and should not be a part of the 5th Avenue plan.** Downtown Naperville is a testimony to the failure of trees grates and is now trying to be remedied with the new streetscape plan.

Thank you as always for your consideration,

Marilyn L. Schweitzer

From: Daniel Di Santo

Sent: Sunday, September 22, 2019 8:42 PM

To: Chirico, Steve <ChiricoS@naperville.il.us>; Council <Council@naperville.il.us>

Cc: jclyzun@hotmail.com; Krieger, Doug <KriegerD@naperville.il.us>; Emery, Amy

<EmeryA@naperville.il.us>; Margo Ely <margolynely@gmail.com>; Jim.McDonald@ryancompanies.com

Subject: Latest 5th Avenue Plan

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Honorable Mayor and Members of the City Council -

I am writing to relay my thoughts on the new 5th Avenue Development Plans unveiled by Ryan Companies last week. Work obligations kept me from attending the Thursday evening public meeting.

To the new Council members, my wife Margo and our family live at 140 W 5th Ave, in the Pilgrims Addition - we are the only house that borders Kendall Park and we sit approximately 400' from the Children's Museum property and 700' from the main development east of Washington Street. I have lived in downtown Naperville for 32 years. We have been, and continue to be, strong supporters of bringing transformative redevelopment to the train station area. We believe Ryan Companies are one of the few developers that have the vision and the resources to see a project of this scale through, and to make the best of the most underutilized area with the most potential in Naperville. We now have a great opportunity to revitalize one of, if not the most, dilapidated areas along the BNSF tracks.

First and foremost thank you for your votes to continue the project with Ryan. With respect to my neighbors, criticisms related to Ryan's selection process and the overall project not being transparent and accessible to the public are merely a tactic to delay in the hopes that the project stalls and Ryan gives up and goes away. I have spent my career in city government and can easily say that I have never seen anything close to the amount of public involvement that this project has received. Now is the time for this project. The economy has never been better and we should strike when the iron is hot and we have a developer that is ready to go.

As for the newly unveiled plan, I was blown away by the goal to be the first "Well Community" in Illinois. The project needed a signature component, and health and wellness is the perfect choice. Imagine thousands of neighbors walking to the site to enjoy health club facilities, walking and fitness areas, and year round community gathering amenities like an ice rink and water feature. As proposed, the development would also be a landmark project in sustainability, further establishing Naperville's bonafides as a municipal leader across the country. One word I didn't see on the list of terms on pages 6 and 7 was "accessibility." I think accessibility should be a priority and is another area that would compliment the wellness initiative.

My family's number one priority continues to be improving pedestrian safety and ease of pedestrian travel from Pilgrims Addition to nearby schools and downtown Naperville. I cannot support a project without a new pedestrian tunnel west of Washington, and I am thrilled to see the tunnel continues to be a priority of the City Council and continues to be included in the plans. Thank you.

I am also impressed with the affordable housing components of the plan. Thank you for making this a priority and I am supportive of the affordable housing plan as outlined in the Ryan presentation.

I would have rather not seen a reduction in retail, but understand compromises are necessary when you have dozens of differing opinions on this project. In particular I thought retail could thrive along the east side of Washington south of the tracks.

Lastly, I did not see any plans for Kendall Park, but I continue to be concerned about any modifications to retain more stormwater at the park. This is an often used area for youth sports and retaining additional water there would dramatically reduce its functionality (see the NNHS soccer fields on Mill and 6th for example). Currently the park drains quickly in storm events, and creating a soggy waterlogged park seems like a shortsighted decision.

Thank you for your time in reading this email and considering all opinions you receive. With this new Council in place, now is the time to bring this project to entitlement and approval within the next year. I am happy to answer any questions.

Dan Di Santo
140 W 5th Ave

City Council,

I am writing to express my concern regarding the development of the 5th Avenue Station area.

This development will be in violation of at least two zoning laws. This town has height restrictions and parking requirements which are clearly not being considered or adhered to.

I live in this neighborhood. I understand the traffic and parking issues we already have. Has there been any consideration at all given to the exacerbation of the congestion there will be when the high rises are constructed and inhabited?

I pay \$15,000 in property taxes. Do The people in Cress Creek, White Eagle, River Run, Woods of Baily Hobson pay more? Is that why we're not putting the "Affordable Housing" where THEY live?? Why isn't the affordable housing located in all of those sections of town? What is this going to do to MY property VALUE?? Or, that doesn't matter to you because it's not YOUR neighborhood, NOT your house, Not your INVESTMENT.

I am a single mom with 4 children. Only one of my children still lives with me. My 16-year-old daughter is still at home. I live in a house valued at over \$1, 000, 000. I have worked extremely hard to maintain my home. I have not one, but two jobs. My children all have jobs. My daughter has two jobs. I have VERY SERIOUS concerns about property damage and safety with the decision to move the affordable housing into my neighborhood. ANYONE who says they don't have these legitimate concerns is lying because they are simply NOT facing the same prospect in THEIR neighborhood.

Do ANY of you live in my neighborhood??

Extremely Concerned AND Completely Opposed,

Erin Goralski
151 N. Ellsworth St.

From: Patrice Basso
Sent: Saturday, September 21, 2019 5:21 PM
To: Emery, Amy <EmeryA@naperville.il.us>
Subject: 5th Ave Station plans

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Dear Ms. Emery,

I am writing to ask you to please forward my comments to the Steering Committee [AND CITY COUNCIL]. I did attend the presentation last night but I was unable to stay to give my input. There was no time limit on the speakers from the public and so very few people got to speak by the time I left at 8:35 pm.

Right now I have 3 main concerns:

1) I am questioning the logistics of the parking decks for commuter parking. In using the multistory decks at both Edward Hospital and the Van Buren lot, I am thinking that commuters are going to need more time to navigate the decks, find a space, make their way to the ground floor and get to the train platform. The concept plan does not clearly indicate the entrance and exits for each deck. Also, will there still be daily use parking spots for after 9:00 am? On the north side, when I pick up people from outbound trains, where can I wait? Sometimes the trains are late and cars wind around the current Burlington lot just north of the tracks to wait. The proposed Kiss 'N Ride spaces don't have the same flexibility for meeting people. Also, for boarding from the south, we appreciate the current ability to drop family off at the station especially if they have luggage.

2) I have lots of questions about finances. Will the city be responsible for the cost of all the commuter decks? These are huge expenditures. With all the press in the last year or two about increased pension costs (at one point there was a \$ 4 million deficit in the city budget), how can we afford this? We still need to fix the Jefferson/Chicago deck with water constantly dripping on the middle level during rain events.

3) Traffic - this is already a highly used corridor with Washington being the main N/S thoroughfare. Adding apartments etc here will increase the traffic as commuters are trying to get in. If the decks don't have sufficient ingress/egress, traffic could conceivably back up in the decks. Two speakers brought up concerns about the intersection of Spring and Washington tonight. There is a very short left turn lane at westbound Spring if commuters are able to access the deck from Spring. I believe this will also encourage more commuters from west and south to cut through neighborhoods to get to deck. If commuters can also/only access the DCM deck from Washington and North, this could lead to backups on Washington St. The light favors Washington St. at peak times as it should but again, the left turn lane there is very short.

Thanks for your help. I think residents need more time to give feedback and it would have been nice to advertise a link for submitting comments for those who could not attend tonight's meeting.

Sincerely,
Patrice Basso
388 Cottonwood Lane