

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DOROTHY GAUTREAUX, et al.	)	
	)	
Plaintiffs,	)	66 C 1459
	)	Hon. Marvin E. Aspen
vs.	)	
	)	
CHICAGO HOUSING AUTHORITY	)	
	)	
Defendant.	)	

**JOINT MOTION OF PLAINTIFFS AND DEFENDANT  
CHICAGO HOUSING AUTHORITY FOR AN ORDER AUTHORIZING  
DEVELOPMENT OF PUBLIC HOUSING UNITS IN A LIMITED AREA AND  
AMENDING THE TENANT ASSIGNMENT PLAN**

Plaintiffs and defendant Chicago Housing Authority ("CHA"), by their respective attorneys, respectfully move that the Court enter the attached Proposed Order (Exhibit A hereto), which would:

- a) Authorize 25 new non-elderly public housing units in the development to be known as City Gardens, a one block area bounded by West Jackson Boulevard on the north, Van Buren Street on the south, South Maplewood Street on the east and the Rockwell Avenue on the west; and
- b) Amend the CHA Tenant Assignment Plan to require that the 25 new public housing units in City Gardens be made available first to public housing families relocating under the CHA Plan for Transformation, then to families on the CHA public housing waiting list.

In support of this motion, the parties state as follows:

**Background**

1. The parties seek this Court's authority for the development of City Gardens, on the site of the CHA's former Maplewood Courts development. The site is directly across the street

to the west of Phase II of West End, a mixed income development on the site of the former Rockwell Gardens public housing development authorized by this Court's July 21, 2010 order. Brinshore-Michaels (hereinafter "Developer") was competitively selected as master developer for this site. The Developer is a joint venture of Brinshore Development, LLC and Michaels Development Company, Inc., both of whom have considerable experience in the development of mixed-income housing in Chicago and elsewhere. The Developer is developing several other Court-authorized CHA redevelopment projects across the city.

2. CHA, the Gautreaux plaintiffs, the Developer, former Rockwell Gardens resident leaders and others have developed a plan that calls for 76 mixed-income rental units on the former Maplewood Courts site. The plan will transform the current site (now vacant after CHA demolished the two Maplewood mid-rise buildings and relocated the residents) and integrate the public housing units with affordable and market rate rental units. See Affidavit of Mikki Anderson, hereinafter "Anderson Aff.", attached as Exhibit B.

#### **City Gardens Authorization**

3. The plan for City Gardens provides for 76 units of rental housing, of which 25 will be public housing units, 30 will be affordable units, and 21 will be market rate units. As has been the case with other mixed income developments, the public housing units will be dispersed across the site and mixed among the non-public housing units, and the entire development will be privately owned and managed. Anderson Aff., pars. 1-3.

4. This Court's 1969 Judgment Order prohibits the building of new non-elderly public housing units in Limited Areas (without corresponding, substantially simultaneous construction in General Areas). 304 F. Supp. 736, 738-39 (N.D. Ill. 1969). The proposed City Gardens development is located in a Limited Area. Nonetheless, for the reasons described below as well as in the Anderson Affidavit, the parties believe the proposed development is "designed to achieve results consistent with [the Judgment Order]", that the Court therefore has the authority

to enter the attached Proposed Order pursuant to paragraph X of the Judgment Order, 304 F. Supp. 736, 741 (N.D. Ill. 1969), and request that the Court do so.

5. The Court has on a number of occasions entered similar orders permitting development of public housing in Limited Areas, following a site-specific, case-by-case review, provided that the development of these units was "in furtherance of the purposes" of the Judgment Order. For example, the Court entered such orders on December 16, 2003 (permitting the development of 27 public housing units adjacent to the old Stateway Gardens project, as part of a mixed-income development); on March 26, 2004; April 17, 2006; November 6, 2007, July 23, 2009 and February 26, 2014 (permitting the first five phases of the Robert Taylor redevelopment, collectively called Legends South, to go forward); on August 24, 2010 (permitting the development of 60 public housing units as part of Phase 1 of a mixed income development to be known as Park Douglas on the former Lawndale Complex site); and, most relevant to this motion, on August 5, 2003; August 22, 2005; and July 21, 2010, permitting the development of a total of 136 public housing units on and near the former Rockwell Gardens site, as part of the West End mixed-income development.

6. In addition to these orders, the Court has permitted construction of new, non-elderly public housing units in "Limited Areas" surrounding CHA's old Horner, Lakefront, Madden-Wells, Cabrini-Green, ABLA and Stateway Gardens developments, after findings that these areas were now "revitalizing". In each of these cases, the parties represented that the proposed revitalizing areas had experienced a substantial increase in public and private investment, including private residential rehabilitation and new construction. In each case, the parties advised the Court that such development activity, completed and already underway, combined with the proposed large-scale mixed-income redevelopment of sites previously designated as exclusively public housing, made economic integration likely in the short run with a possibility that racial integration might follow in the long run.



7. As when the parties were before the Court on the motions requesting authorization for the phases of the Rockwell Gardens redevelopment completed to date, the parties still do not believe that this redevelopment area can yet be designated a "Revitalizing Area," although there has continued to be encouraging activity. See Anderson Aff., par. 4. Conditions near the West End and City Gardens sites continue to improve, but have not yet reached the same level of public and private investment that characterized the neighborhoods surrounding Henry Horner, North Kenwood-Oakland, Madden-Wells, Cabrini-Green, Stateway Gardens and ABLA at the time those Revitalizing Orders were entered. The area in which the new public housing units are proposed to be developed still contains a number of run-down commercial establishments, empty buildings and vacant lots. Interest in the purchase of the homeownership units has been limited. Likewise, private reinvestment in the area has been more limited and dispersed than in those neighborhoods found to be "revitalizing." Anderson Aff., par. 5.

8. West End, as an adjacent, larger-scale mixed income redevelopment effort, has created some economic integration in the City Gardens area, with a possibility that racial integration might follow in the long run.

9. Due to continuing shared concerns about the persisting lack of revitalization in the area, the parties and the West End developer have been meeting regularly over the past four and one half years to develop measures to address those concerns, pursuant to the Letter of Agreement presented to the Court along with the July, 2010 motion regarding West End Phase II development. The parties and the City Gardens Developer have agreed, through a similar Letter Agreement, to incorporate City Gardens into these regularly scheduled West End meetings. The City Gardens Agreement, attached hereto as Exhibit C, addresses a number of issues, as follows:



A. Property Management -- The parties believe that excellent management and security are critical to maintain the viability of the mixed income nature of the development, as well as for maintaining residents' quality of life. Under the Agreement, the Developer will provide regular property management reports to the parties and meet with the parties about those reports. The Developer also has agreed to a plan for monitoring and handling security issues that arise, and CHA has committed to working with the Developer to address security issues as necessary. Agreement, pars. 1,2, 4.

B. Social Services -- The plaintiffs believe that competent provision of quality social services is integral to ensuring that as many class members as possible are able to meet the screening criteria at City Gardens and crucial to help residents move toward self-sufficiency and maintain housing stability. Under the Agreement the Developer has agreed to provide a service coordinator (.5 FTE) for City Gardens. The CHA has agreed to use its best efforts to provide financial support for social services at the site through at least 2020. Further, CHA and the Developer have agreed to enable meaningful evaluation of whether the services provided are meeting the needs of residents through providing regular reports on social services and meeting with the parties to the Agreement about those reports. Agreement, par. 3.

C. Commercial Development -- Ongoing redevelopment has spurred planning for commercial development in the area, as discussed below in paragraphs 10 C and D. However, further commercial development in the immediate vicinity of City Gardens is still desirable. Consequently, CHA and the Developer have committed to ongoing discussions with the West End/City Gardens Working Group and relevant City officials about how to spur commercial development in the area. The Developer has also committed to participating in meetings about commercial development in the 27<sup>th</sup> Ward. Agreement, par. 5.

D. Schools -- The parties believe efforts to improve the local school options are critical to the quality of life of City Gardens residents and for the long-term prospects of the hoped-for income mix for the development. Consequently, CHA and the Developer have committed to ongoing discussions with the West End/City Gardens Working Group and Chicago Public Schools officials on increasing quality educational options for City Gardens' children. Additionally, CHA and the Developer have committed to efforts to keep City Gardens parents informed of school options for their children. Agreement, par. 6.

10. While the parties do not believe the area proposed for City Gardens can fairly be considered "revitalizing," the parties agree that development should go forward, as it will further the purposes of the Judgment Order for the following reasons:

A. Quality Mixed-Income Housing -- The proposed 25 public housing units will offer members of the *Gautreaux* plaintiff class an opportunity to live in quality mixed-income housing. In addition to the 25 public housing units, City Gardens consists of 30 affordable rental units designated for households earning up to 60% of the area median income (up to \$45,600 for a family of four), and 21 market-rate rental units. See Anderson Aff., par. 2. The proposed buildings will be privately owned and managed. See Anderson Aff., par. 3.

B. Planned Rockwell Gardens Redevelopment -- City Gardens will be developed adjacent to West End, the mixed income development replacing Rockwell Gardens. To date 275 of the planned 690 (approximately) mixed-income residential units have been built at West End. Approximately 33 percent of the total on-site units will be public housing, 33 percent affordable rental, and 33 percent market rate. Of the 690 total on-site units, 34% are planned to be for sale.

C. Development Prospects in the Surrounding Community -- Nearby, to the east, north and west of the Rockwell redevelopment is the previously-designated Horner Revitalizing Area ("HRA"). Renamed "Westhaven", the Horner redevelopment has five completed phases. Westhaven Park, the mixed income phase of Horner redevelopment, now comprises nearly 550 mixed income rental and for sale units. Two hundred fifty nine additional units are in the planning phase, 176 of them for sale. Anderson Aff. par., 4d.

Since Horner redevelopment began, there has been continued investment of public and private resources in the HRA, including a substantial increase in private housing rehabilitation and construction. Within the HRA, east of Western Avenue many condominium projects were completed in recent years, and development was progressing westward until the economic downturn.

Since Phase I of West End was developed over 100 condominiums, rowhomes and single family homes have been built. Today, however, sales have slowed and dozens of townhomes and condominiums are for sale in the area surrounding West End. Prices range from a low of \$84,900 for a two-bedroom condominium on Adams Street to the east of Western Avenue, to a high of \$374,000 in the same area. Anderson Aff, par. 5.

There has also been some commercial development activity near the City Gardens site. In 2002, a 15,000 square-foot Walgreens opened at the north-east corner of Madison Street and Western Avenue. Pete's Fresh Market, a full service grocer, and several small retail stores have opened on the south-east corner of Madison and Western. The Chicago Blackhawks practice rink is north of the City Garden site, on Madison Street, and also provides open rink time to the general public. Anderson Aff, par. 4b.



D. Public Institutions and Investment -- A number of public investments have occurred or are planned in the immediate area. A new state-of-the-art Malcolm X College is under construction, to be completed in 2016. Improvements to Crane High School are underway and a number of new charter schools have opened in the area. The former Grant Elementary School, one block from the site, now houses Phoenix Military Academy, a CPS high school. A new community park was completed by the Chicago Park District in 2014, directly north and across the street from City Gardens. Anderson Aff., par. 4a.

E. Letter of Agreement -- The measures provided for in the Letter of Agreement, described above in paragraph 9, are intended to ensure a high quality of life for residents of City Gardens and to preserve the development's mixed income potential.

F. Locational Advantages -- The proposed development site is approximately three miles from the heart of downtown Chicago. It is well-served by public transportation and the Eisenhower Expressway. The Illinois Medical District is within one mile of the site and has more than 40 health care related facilities and 29,000 employees. Anderson Aff., par. 4b.

11. For the several reasons stated above, the parties request that the attached Proposed Order be entered to authorize the development of 25 public housing units within the City Gardens development as described herein.

12. Because the 25 public housing units in City Gardens will be built as part of a new mixed-income development that will serve as replacement housing for former Rockwell Gardens families, the parties also move to amend the current Tenant Assignment Plan to require that the public housing units in City Gardens that are the subject of this motion be made available first to eligible CHA families under CHA's Plan for Transformation, and then to families on the CHA public housing waiting list. The Tenant Assignment Plan otherwise approved by this Court and

binding on the CHA would provide relocating CHA families with only one-quarter of these new public housing units. In similar circumstances, the Court has modified the CHA Tenant Assignment Plan to permit relocating CHA families access to such newly developed units. See e.g., this Court's orders of August 5, 2003 and August 22, 2005 (regarding the Rockwell Gardens redevelopment.)

WHEREFORE, the parties move that the Court enter the attached Proposed Order.

/s/ Julie Elena Brown  
One of the Attorneys for Plaintiffs

/s/ Scott W. Ammarell  
One of the Attorneys for the CHA

Date: June 8, 2015

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Attorneys for the CHA

**Exhibit A – Proposed Agreed Order**  
**Exhibit B – Affidavit of Mikki Anderson**  
**Exhibit C – Letter of Agreement**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT COURT OF ILLINOIS  
EASTERN DIVISION**

DOROTHY GAUTREAUX, et al.,	)	
	)	
Plaintiffs,	)	
	)	
-vs-	)	No. 66 C 1459
	)	
CHICAGO HOUSING AUTHORITY, et al.,	)	Hon. Marvin E. Aspen
	)	
Defendants.	)	

**AGREED ORDER**

This matter having come before the Court on the motion of the parties to:

- a) Authorize 25 new non-elderly public housing units in the development to be known as City Gardens, a one block area bounded by West Jackson Boulevard on the north, Van Buren Street on the south, South Maplewood Street on the east and Rockwell Avenue on the west; and
- b) Amend the CHA Tenant Assignment Plan to require that the 25 new public housing units in City Gardens be made available first to public housing families relocating under the CHA Plan for Transformation, then to families on the CHA public housing waiting list; and

The Court having reviewed the presentations and considered the views of the parties and that the parties and the developer for City Gardens have executed a Letter

**EXHIBIT A**



of Agreement respecting various measures designed to support a high quality of life for City Gardens residents and improve the prospects for achieving the mixed-income goal for that development; and

The Court being cognizant that the principal remedial purpose of the orders previously entered in this case has been to provide plaintiff class families with desegregated housing opportunities; and

The Court having retained jurisdiction to issue orders in this case "designed . . . to achieve results consistent with [the Judgment Order]," 304 F. Supp. 736, 741 (N.D.Ill. 1969); and

The Court being of the view that, based on the representations of the Parties, the proposed 25 public housing units are designed to achieve results consistent with the Judgment Order previously entered in this case;

**NOW THEREFORE, IT IS HEREBY ORDERED:**

A. That the Defendant Chicago Housing Authority shall be free to develop or cause to be developed 25 units of public housing in mixed-income buildings on the site previously occupied by CHA's Maplewood Courts development, provided that (1) the planned 25 public housing units that are the subject of this motion are built and marketed roughly simultaneously with the planned 30 affordable and 21 market rate rental units; and (2) the public housing units are and remain well-distributed among the non-public housing units across the site that is the subject of this motion.

C. The Chicago Housing Authority Tenant Assignment Plan, originally approved by the Order of this Court on November 24, 1969, and amended on various dates

thereafter, is further hereby amended to require that the 25 public housing units that are the subject of this Order be made available to eligible families relocating under CHA's Plan for Transformation, and if there are no such relocating families available to occupy the units, to families on the CHA public housing waiting list.

ENTER: \_\_\_\_\_  
Judge, United States District Court

Dated: \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DOROTHY GAUTREAUX, et al,	)	
Plaintiffs,	)	
	)	No. 66 C 1459
vs.	)	
	)	Hon. Marvin E. Aspen
CHICAGO HOUSING AUTHORITY, et al	)	
Defendant.	)	

AFFIDAVIT OF MIKKI ANDERSON

Mikki Anderson, being first duly sworn on oath, states:

I am the Vice President of Development for The Michaels Development Company, and having held the position since 2006 have been extensively involved in the redevelopment of several former CHA Transformation Plan site including the former Robert Taylor Homes (now Legends South) and Henry Horner Homes (now Westhaven Park). I have been the day-to-day project manager for the City Gardens redevelopment effort since its inception, overseeing all predevelopment activities, securing financing, and community outreach and participation.

CHA, the Gautreaux plaintiffs, a private development company (a joint venture between The Michaels Development Company and Brinshore Development called "Brinshore-Michaels"), Rockwell Gardens residents and others have developed plans for 76 newly constructed mixed income rental units on the site formerly housing the Maplewood Courts public housing development. The proposed development has been renamed City Gardens, and will create an opportunity for former public housing families to live in a mixed-income housing development. The development consists of eight (8) buildings (including 7 residential buildings and a free-standing management/leasing office) on a site bounded by Jackson Boulevard on the north, Maplewood Street (previously vacated but newly reconstructed) on the east, Van Buren Street on the south and Rockwell Street (vacated) on the west.

- 1) **Project Description.** The proposed redevelopment project consists of seventy-six (76) newly-constructed rental units built on land currently owned by the Chicago Housing Authority (CHA). The project is currently envisioned to consist of twenty-five (25) public housing units subject to Low Income Housing Tax Credit (LIHTC) restrictions, thirty (30) non-public housing affordable units also subject to LIHTC restrictions and twenty-one (21) unrestricted market rate units. The public housing units will be indistinguishably interspersed among the non-public housing units and are intended to replace housing units demolished at the Maplewood Courts housing development, a subsection of the former Rockwell Gardens CHA public housing development immediately adjacent to the subject property. As former families at Maplewood Courts have already been permanently rehoused, the

**EXHIBIT B**



newly constructed units restricted for public housing use are intended to serve former Rockwell Gardens families. Built in 1961, Rockwell Gardens originally consisted of 1,126 housing units. Over the years a combination of deferred property maintenance and uncontrolled gang and drug activity led to the steady decline of the development. The condition of the property eventually led to the CHA's decision to redevelop Rockwell Gardens as part of its historic Plan for Transformation. Demolition of the units at Rockwell Gardens began in 2003 and two phases of redevelopment have been completed.

- 2) **Income and Unit Mix.** Exhibit 1, attached hereto, is the proposed site plan for City Gardens. This single-phased project will consist of 76 total rental units. The chart below details the income and bedroom mix.

Unit Size	Market	Affordable	CHA Units	Totals
1BR	7	8	5	20
2BR	10	14	12	36
3BR	4	8	6	18
4BR	0	0	2	2
Totals	21	30	25	76

- 3) **Ownership and Management.** City Gardens is to be privately owned by Maple Jack, LLC, a limited liability company affiliated with the co-developers, Brinshore Development and The Michaels Development Company ("Brinshore-Michaels"). The development will be managed by Interstate Realty Management, an affiliate of The Michaels Development Company. IRM is a well-qualified and well respected management firm currently managing more than 1,300 units of mixed income housing in Chicago.
- 4) **Neighborhood Improvements.** The area around City Gardens has shown some signs of improvement in recent years. The site is well situated on a 2.82 parcel of land immediately southwest of the former Rockwell site and located just 3 miles west of Chicago's Central Business District. The site is well served by public transportation and is adjacent to the Eisenhower Expressway which is the Chicagoland area's primary East-West thoroughfare. These location advantages along with the additional factors listed below have led Brinshore-Michaels to believe that higher-income renters and owners will be attracted to the area and that the 25 public housing units at City Gardens should be developed:
- a) **Public Institutions and Investment.** The City of Chicago, through its various departments and along with its sister agencies, have made significant investments in the communities surrounding

the City Gardens site. The following is a list of some of the public institutions and investments in the area:

1. Reconstruction of Maplewood Avenue (CDOT). In an effort to reintegrate the former Maplewood Courts site back into the fabric of the larger neighborhood, the City of Chicago through its Department of Transportation, invested significant infrastructure resources in the reconstruction of Maplewood Avenue between Van Buren and Adams Streets and the upgrade of water and sewer facilities.
2. Construction of Park 574 (CPD). Constructed by the Chicago Park District and located in the Near West Community Area, Park 574 (to be renamed through a community process) sits on the block immediately north of the City Gardens site. It is a complete state-of-the-art fitness playground. The new playground features a 1/5 mile walking path, adult fitness stations, zip line, challenge hills and slides, pommel horses, rings and a water feature. This playground was built in the fall of 2014 as a part of the Chicago Plays! program.
3. New Malcolm X College (City Colleges of Chicago). Construction on a new state-of-the-art Malcolm X College began in early September 2013 and the building is expected to open for the start of spring session classes in January 2016. The \$251 million project, is a major investment in Chicago's West Side. The new 544,000 square foot campus, being built directly across the street from the current college at 1900 W. Van Buren Street, will feature space for health science, general education and adult education instruction, as well as student services and athletics. A new conference facility, auditorium and parking garage is also being constructed.
4. Improvements and upgrades are being made with respect to educational institutions in the area including the reorganization of Crane High School and the establishment of a number of charter schools in the immediate area. Of significance is that the site is approximately one mile away from Whitney M. Young Magnet Academy, consistently one of the highest performing high schools in Illinois. Alderman Walter Burnett (27<sup>th</sup> Ward) has relocated his ward office to the corner of Madison and Western located, than half a mile from the City Gardens site.

**b) Community Institutions.** Within one mile of City Gardens can be found several community institutions. These include:

1. The Illinois Medical District (IMD). The IMD is a special-use zoning district consisting of 560 acres of medical research facilities, labs, a biotechnology business incubator, a raw development area, universities, and more than 40 health care related facilities. The IMD has 29,000 employees, 75,000 daily visitors and generates \$3.4 billion in economic opportunity. The IMD is the largest urban medical district in the United States and has the most diverse patient population in the country.



2. Johnny's Ice House West. Billed as the premier place for hockey in the Chicagoland area, Johnny's Ice House, located at 2550 West Madison opened on February 1, 2010. The newly crowned Stanley Cup Champions, Chicago Blackhawks, call this location home to their current practice facility. In addition, the building hosts a pro-shop, sports bar, underground parking, and spectator gallery capable of seating up to 300 people. Johnny's Ice House has also expanded its league to 108 adult teams and now boasts the only youth hockey travel organization in the city of Chicago.
  3. The Advocate Center. After more than 22 years in Deerfield, the Chicago Bulls relocated their practice facility to its new location on Chicago's Near West Side. One of the specifically stated goals of the relocation was to be an economic engine and to continue to spur the growth in the community.
- c) **Commercial Development.** The area continues to experience growth in commercial development. A 15,000 square foot Walgreens, opened in 2002, continues to thrive and provide a much needed benefit to the community. In addition, in June 2014 a new 79,000 square feet retail complex was completed at the corner of Madison and Western. The complex, anchored by Pete's Fresh Produce, brings a full service grocery store to a community that has long been without options. The addition of Pete's Produce brings 160 full time jobs along with 30 part-time employment opportunities generated by the other retailers in the complex.
- d) **Residential Development.** In recent years, there has continued to be private sector residential development in the area near City Gardens, including both new construction and the rehabilitation of existing buildings. Most notably, City Gardens is being developed adjacent to West End, the mixed income development replacing the former Rockwell Gardens. To date 275 of the 690 mixed income residential units at West End have been built. Once completed, approximately 33 percent of the total on-site units will be public housing, 33 percent will be affordable rental and 33 percent market rate housing. Thirty-four percent of the total 690 on-site units are planned as for-sale units.

Additionally, located approximately 2 miles northeast of the proposed City Gardens site, is Westhaven Park, the mixed income redevelopment effort replacing the former Henry Horner Homes public housing development. The Brinshore Michaels joint venture is also the developer charged with that redevelopment and to date has completed five phases comprising nearly 550 units newly constructed units, including 139 affordable and market rate for sale units. The most recently completed phase also includes 3 retail store fronts. In an effort to reintegrate the entire site into a single mixed income community, Brinshore Michaels is in the final planning stages for the "Villages of Westhaven", the acquisition and rehabilitation of a previously developed 100 percent public housing component of the Henry Horner site commonly referred to as the "Superblock". Once completed, the Villages of Westhaven will transform 200 public housing units into a truly mixed income community including 95 public housing units, 50 affordable units and



55 market rate units. Rehabilitation is expected to begin later this year. Besides the Villages of Westhaven, an additional 259 units, 176 of which are for sale, have been planned, but not yet constructed.

- 5) While conditions in the surrounding community have improved since the completion of the first phase of the redevelopment of the former Rockwell Gardens and are continuing to improve, the neighborhood still contains a number of empty buildings and vacant blocks. Since Phase I of West End was developed, more than 100 condominium, row homes and single family homes have been built. However, as sales continue to lag and dozens of homes and condominiums are for sale in the immediate area surrounding West End, the range in prices has increased. Prices range from a low of \$84,900 for a 2 bedroom condominium on Adams Street just east of Western Avenue, to a high of \$374,000 on Gladys Avenue 2 block east of the proposed City Gardens site. The collapse of the housing market that led to stalled economic activity is slowly coming to life once again. Brinshore-Michaels believes that part of that resurgence in recent years can be attributed to the positive and stabilizing force that the completed phases of West End and the redevelopment of St. Stephens Terrace have had in the community. The developer believes City Gardens will significantly add to this activity and will help further the stabilization of the area while helping to bolster the viability of the already completed West End communities directly east of the site.

Further affiant sayeth not.

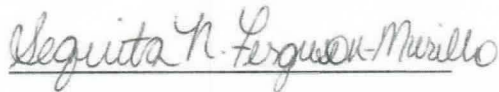


Mikki Anderson

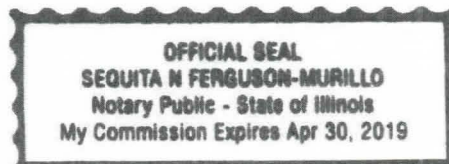
Vice President, The Michaels Development Company

Sworn and subscribed to before me

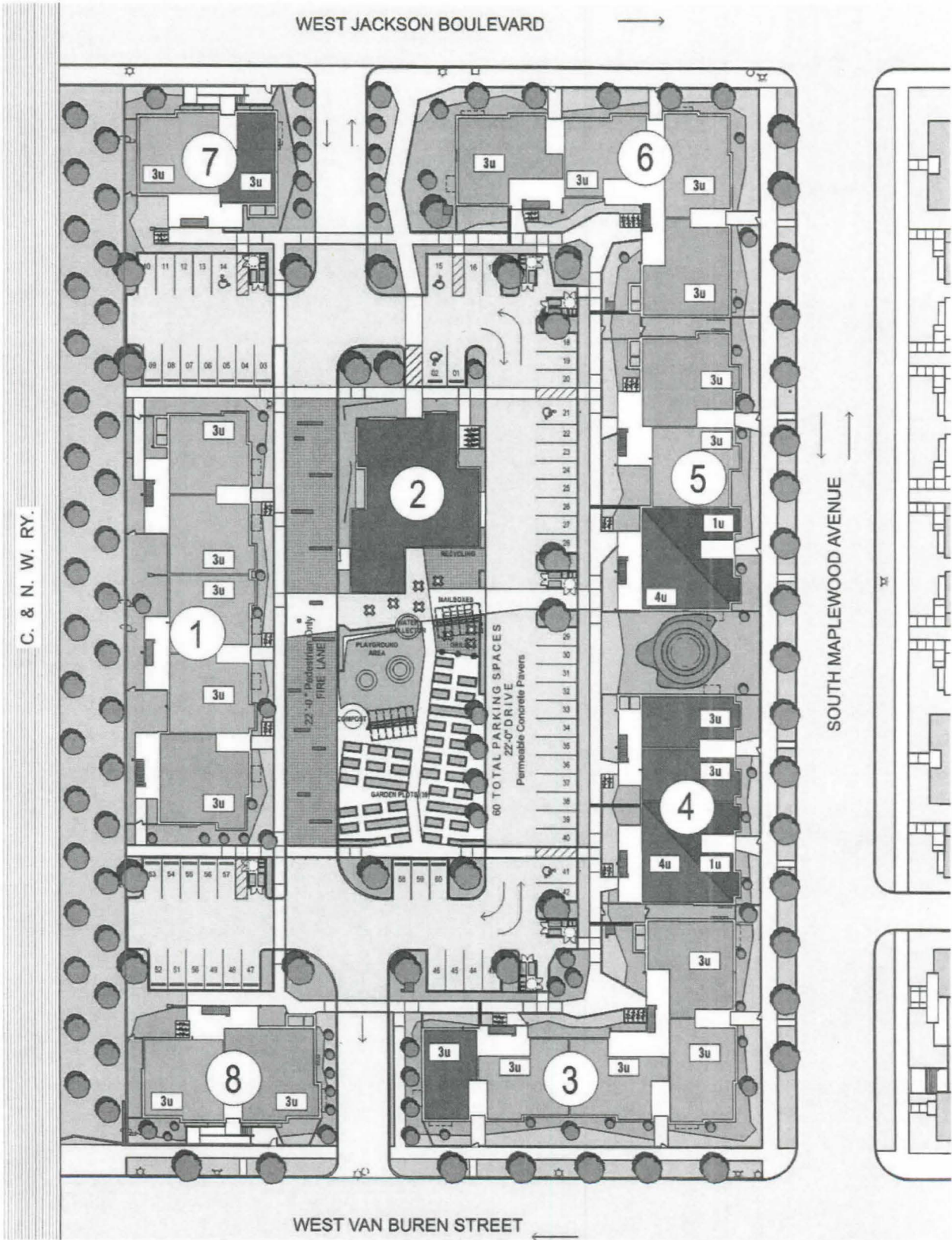
This 8<sup>th</sup> day of June, 2015.



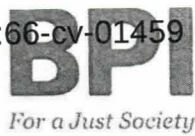
Notary Public



AFFIDAVIT OF MIKKI ANDERSON - EXHIBIT 1  
City Gardens Site Plan







June 2, 2015

**Officers**

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Judy Wise  
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Stacie Young

**Founder**

Gordon B. Sherman  
(1927-1987)

Ms. Ava J. Goldman  
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**Re: Gautreaux -- Letter of Agreement regarding Maplewood Courts/  
City Gardens**

Dear Ms. Goldman and Mr. Ammarell:

This Letter memorializes agreements reached among the Chicago Housing Authority, Brinshore-Michaels Development (the Developer), and the Gautreaux plaintiffs regarding measures that the Developer and the Chicago Housing Authority (CHA) will undertake to support a high quality of life for residents and to improve the prospects for achieving the mixed-income goal at City Gardens, in anticipation of a request to Judge Aspen to authorize the development of 25 units of public housing (to serve as Rockwell Gardens replacement units) as part of the redevelopment of the former Maplewood Courts site.

The agreement is the result of discussions involving the Developer, CHA, and the Gautreaux plaintiffs, begun out of shared concerns about the effect of the economic downturn and the collapse of the real estate market on the prospects for mixed-income development at City Gardens. In addition, the agreements herein are made in light of the fact that to date the adjacent West End development on the former Rockwell Gardens site – the responsibility of a different developer – has not included most of the for-sale development planned for that site, with the result that the area immediately surrounding City Gardens is for now, and will be for at least some period into the future, a predominantly low- to moderate-income rental community, without the full mix of incomes and tenure types originally envisioned by the parties and Gautreaux court orders. The signatories believe that the agreed-

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**EXHIBIT C**



upon measures will help to ensure City Gardens' viability as a well-working community and preserve the potential to meet the mixed-income objective of the prior *Gautreaux* orders authorizing development on CHA land in the immediate area.

## **AGREEMENTS**

### **1. Regular Meetings**

CHA and counsel for the *Gautreaux* plaintiffs currently participate in regular meetings with the developer of the adjacent West End mixed income development and others concerned with conditions in the immediate area. These meetings include West End Working Group meetings, Quarterly meetings pursuant to a Letter Agreement with the West End developer dated July 15, 2010 and monthly security meetings. The undersigned agree to include the Developer as a participant in those meetings, as follows:

#### **(a) Working Group Meetings**

The Developer currently attends West End Working Group on an as needed basis. Going forward, the Developer agrees to attend the Working Group on a monthly basis (or on a similar schedule as determined by the Working Group.)

#### **(b) Quarterly Meetings**

The Developer agrees to attend the Quarterly Meetings held pursuant to the West End Letter Agreement of July 15, 2010, beginning with the first such Quarterly Meeting following full initial lease up of City Gardens.

#### **(c) Security Meetings**

Once construction commences on City Gardens, the Developer agrees to attend the monthly West End/Oakley Square security meetings.

### **2. Property Management Reports**

The undersigned agree that excellent property management will play an important role in maintaining the viability of City Gardens and preserving its mixed-income potential. Regular property management reports for the Quarterly Meetings will provide a picture of the development's health.

Beginning with the first Quarterly Meeting after the full initial lease-up of City Gardens, the Developer agrees to provide quarterly property management reports for such meetings. These reports will consist of a narrative portion and two charts, as described below.

- The narrative portion will discuss important current successes (e.g. low turnover rates, resident participation in management-initiated events, resolution of a security issue) and concerns (e.g. security problems, lease compliance issues, reasons for evictions, maintenance issues, problems with neighbors getting along, etc.).
- One chart will provide information on occupancy, length of vacancies and numbers of evictions.
- A second chart will provide information on residents' lease compliance status, employment status, income and rent.
- These reports will be prepared in such a way as to protect the confidentiality of families and individuals, while still providing sufficient information to evaluate the effectiveness of property management.

Sample property management report charts are attached to this letter (Attachment A).

### **3. Social Services Commitments and Reports**

The undersigned agree that social services and community programming will be crucial to help residents move toward self-sufficiency and maintain housing stability, especially while the housing in the immediate area remains predominantly rental and there is little economic activity in the area. Some level of services will always be necessary to help new families adjust and to address crisis situations. Regular reporting and discussions will enable meaningful evaluation of whether the services provided are meeting the needs of residents.

#### **(a) Social Services**

- The Developer will staff one part-time (.5 FTE) social service coordinator (SSC) position for City Gardens. The position will be funded in part, or in full if CHA is unable to provide funding, out of the operating budget for the development.
- The SSC's responsibilities will include, for all City Gardens residents and in addition to other responsibilities, outreach, referrals to "outside" services as needed, organizing community building programs and events, and establishing and maintaining partnerships with others, including the CHA social service provider (currently FamilyWorks), for collaboration on resident services.
- CHA will use its best efforts to continue its financial support for social services at City Gardens through at least 2020.

**(b) Services Reports**

- i. Beginning with the first Quarterly Meeting after full initial lease-up of City Gardens, the Developer, in coordination with CHA, will provide quarterly services reports on all occupied phases of City Gardens. These reports will cover the services provided, including such elements as:
  - o the services and programming being offered and actually being used by residents;
  - o outcomes achieved for the quarter;
  - o significant challenges or successes for the quarter.

These reports will be prepared in such a way as to protect the confidentiality of families and individuals, while still providing the undersigned with sufficient information to evaluate the effectiveness of the services being provided.

CHA agrees to provide the Developer with a sample quarterly service report before the first quarterly meeting to be attended by the Developer. CHA has the right to modify the form and content of the report to ensure consistency with CHA's services model as it may be modified from time to time, but will provide advance notice to and seek comment from the parties prior to any proposed modification.

- ii. The parties recognize that the same or similar reports may be provided to and discussed at regularly scheduled Working Group meetings and agree that any discussions at the Quarterly Meeting established herein shall not be duplicative of discussions at Working Group meetings.
- iii. Within six months of the full initial lease-up of City Gardens, the Developer, in coordination with CHA, will provide an initial report assessing whether the services provided to residents are meeting the needs of residents. This assessment of services shall include, but not be limited to:
  - o Progress on FamilyWorks' resident assessments and related Individual Action Plans;
  - o An overview of any Resident surveys and home visits;
  - o The Developer's resident lease compliancy information;
  - o Anecdotal observations from CHA, the Developer and/or other stakeholders.

**4. Security**

The undersigned recognize that to help ensure residents' quality of life and preserve the mixed-income potential of City Gardens there must be a plan for, and commitment to, monitoring and addressing security issues.



- Upon full initial lease-up of City Gardens, the Developer will implement an ongoing security plan that includes maintaining incident logs to track crime on the property, maintaining security cameras, encouraging residents to report crime to 911 and the management office, maintaining ongoing communication with the police (including attending CAPS meetings and other meetings to resolve recurring security problems), hiring private security as needed, and other measures.
- The security plan will be reviewed at the first Quarterly Meeting. Any changes subsequently made to the security plan will be presented at the Quarterly Meetings.
- The Developer will be responsible for security at City Gardens. CHA will work with the Developer as necessary to help address security issues.
- Pursuant to currently established procedures, CHA will continue to review reports of crime and other neighborhood security problems said to originate in nearby scattered site or other CHA owned public housing. These efforts will be reported at the monthly security meetings.
- CHA and the Developer will report crime incident data from their respective properties (City Gardens and nearby scattered sites) at the monthly security meetings.
- In addition to attending the monthly security meetings, the Developer agrees to explore participating in joint security efforts with adjacent developments (West End and Oakley Square) to proactively and effectively address security problems.

#### **5. Economic Development**

The undersigned recognize the critical nature of economic development to the success and sustainability of new residential development, to the residents' quality of life, and to the attraction and retention of residents. Economic development in the vicinity of City Gardens has been slow, leaving the residential development relatively isolated. While improving economic development is primarily the function of other parties, the undersigned believe that they can play a useful role. To that end:

- CHA's commitments with respect to Economic Development will remain those already embodied in the July 15, 2010 Letter Agreement. In addition, in coordination with the CHA, the Developer will encourage the appropriate staff from the City's Department of Planning and Development to attend and actively participate in the Working Group.

- In coordination with the CHA, the Developer will encourage the participation in the Working Group of the local Alderman, or his designee, and, in coordination with CHA, will request regular updates to the Working Group on proposed developments and economic goals within the Ward.
- The Developer will work with the City of Chicago, the Alderman, local retail/commercial developers, and relevant community leaders, to identify and implement economic development opportunities for the City Gardens community.

#### **6. Quality Neighborhood Schools**

The undersigned recognize that quality neighborhood schools are critical to the quality of life of the families living in City Gardens, and for the long-term viability of the development. Although improving neighborhood schools will primarily involve other parties, in particular Chicago Public Schools (CPS), the undersigned agree to work together to improve City Gardens residents' access to good neighborhood schools, including but not limited to, the following:

- CHA's commitments with respect to neighborhood schools will remain those already embodied in the July 15, 2010 Letter Agreement but will include City Gardens.
- In order to make City Gardens' parents aware of the educational options that exist, the Developer will provide such information to City Gardens' residents and facilitate participation of City Gardens' parents in school fairs and other information sessions organized in the community or otherwise available to them. The Developer will encourage parents to understand the importance of being active participants in their children's education and to become involved in their children's schools by becoming members of the parent/teacher association and local school council.

#### **7. Working Group Representation and Meeting Agenda**

The undersigned agree that the West End/City Gardens Working Group is an important vehicle for sustaining the viability of the City Gardens development and is useful not only for overseeing the development process, but also for identifying and addressing issues that arise affecting the quality of life of the residents. To be most effective, the Working Group should include key stakeholders, including at least one resident of City Gardens.

- The undersigned agree that at the first Working Group meeting following full lease-up of City Gardens they will discuss with the Working Group the need to add a City Gardens resident to the Working Group

and determine a process to identify such a resident. The Working Group will endeavor to identify interested applicants for such a position by the following scheduled Working Group meeting and recommend one applicant for appointment by the CHA. The CHA will review and approve or disapprove such applicant promptly. CHA agrees not to unreasonably withhold such approval.

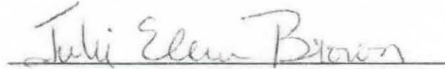
- The undersigned agree to meet together with representatives from West End to develop the schedule for Working Group discussions referenced in this document (e.g. on schools and economic development) prior to full initial lease-up of City Gardens.

### Conclusion

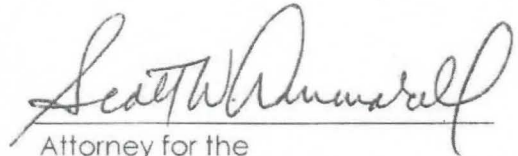
The undersigned parties, having made the above agreements, will work together to sustain a high quality of life for the residents of City Gardens, and to preserve the mixed-income potential of development.

June 2, 2015

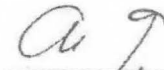
Signed,



One of the Attorneys for the  
Gautreaux Plaintiffs  
Alexander Polikoff  
Julie Elena Brown  
Business and Professional People  
for the Public Interest  
25 East Washington Street, Suite 1515  
Chicago, Illinois 60602



Attorney for the  
Chicago Housing Authority  
Scott Ammarell, General Counsel  
Chicago Housing Authority, 12<sup>th</sup> Floor  
60 East Van Buren Street  
Chicago, Illinois 60605



Ava J. Goldman  
President  
Michaels Development Company

Enclosures: Attachment A



[illegible]

**ACC RESIDENT STATUS**

As of Date:

DEVELOPMENT	City Gardens
Total Units	
Total ACC Units	
Vacant ACC Units	
Percentage Occupied	
<b>Work Requirement Status</b>	
<b>Number of Covered Residents (Including 18+)</b>	
Meeting/Working	
Meeting/Education	
Meeting/Combination of Working and Education	
Safe Harbor	
<b>Total Meeting Requirements</b>	
Exempt	
<b>Non Lease Compliant Households</b>	
Not Meeting Work Requirement	
Lease Violation (Rent/Utility/Behavioral -Social)	
<b>Total Non Lease Compliant</b>	
Long Term Non Lease Compliant (more than 60 days)	
<b>Income</b>	
Between \$0 and \$10,000	
Between \$10,000 and \$20,000	
Between \$20,000 and \$30,000	
Above \$30,000	
<b>Percent of AMI</b>	
Below 30%	
Between 30% and 50%	
Between 50% and 60%	
<b>Rent</b>	
Between \$ 0 and \$100	
Between \$100 and \$300	
Between \$300 and \$500	
Between \$500 and \$700	
Above \$700	

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DOROTHY GAUTREAUX, et al.,	)	
	)	
Plaintiffs,	)	
	)	No. 66 C 1459
v.	)	
	)	Hon. Marvin E. Aspen
CHICAGO HOUSING AUTHORITY, et al.,	)	
	)	
Defendants.	)	

**NOTICE OF MOTION**

To: Attached Service List

PLEASE TAKE NOTICE that on Thursday, June 11, 2015, at 10:30 a.m., or as soon thereafter as counsel may be heard, we shall appear before the Honorable Marvin E. Aspen, Judge of the United States District Court, and then and there present the attached **Joint Motion of Plaintiffs and Defendant Chicago Housing Authority for an Order Authorizing Development of Public Housing Units in a Limited Area and Amending the Tenant Assignment Plan**, a copy of which is hereby served upon you.

/s/ Julie Elena Brown  
One of the Attorneys for Plaintiffs

June 8, 2015

Julie Elena Brown  
Alexander Polikoff  
Business and Professional People for the  
Public Interest  
25 East Washington Street - #1515  
Chicago, Illinois 60602  
312/641-5570

**CERTIFICATE OF SERVICE**

Julie Elena Brown, an attorney, hereby certifies that on Monday, June 8, 2015, she caused a copy of the above-described document to be electronically served on the parties listed on the attached Service List.

/s/ Julie Elena Brown



**SERVICE LIST**

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