

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. |) | |

**PLAINTIFFS' MOTION FOR ORDER AUTHORIZING MIXED INCOME
REDEVELOPMENT OF LATHROP HOMES, AND WAIVING CONCENTRATION
PROVISION OF JUDGMENT ORDER WITH RESPECT THERETO, REQUIRING
REPLACEMENT OF GENERAL AREA DWELLING UNITS NOT OTHERWISE TO
BE REPLACED AS PART OF SUCH REDEVELOPMENT, AND MODIFYING
TENANT SELECTION AND ASSIGNMENT PLAN**

Plaintiffs respectfully move this Court to enter an Order, in the form attached, which authorizes redevelopment of the Chicago Housing Authority's Lathrop Homes Public Housing Project as a mixed income development, waives the Judgment Order restriction on concentrating public housing units in such redevelopment, requires replacement of 524 General Area Dwelling Units that are not otherwise to be replaced as part of the Lathrop redevelopment, and modifies the CHA's Tenant Selection and Assignment Plan. A memorandum in support of this motion is submitted herewith.

Respectfully submitted,

/s/Julie Elena Brown
One of Plaintiffs' Attorneys

Alexander Polikoff
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Business and Professional People for the Public Interest
25 E. Washington Street, Suite 1515
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November 14, 2016

EXHIBITS A - D

DOCUMENTS DESCRIBING THE PLAN FOR THE LATHROP
REDEVELOPMENT

1. Revised Master Plan site map for the Lathrop Redevelopment, as presented by the CHA at the Lathrop Homes Section 106 Consultation Meeting on October 4, 2016.



2. Description of Lathrop Redevelopment by Related Midwest, a private development firm hired as part of the Lathrop Community Partners development team, last accessed November 11, 2016, online at:
www.relatedmidwest.com/ourcompany/properties/186/lathrop-redevelopment.

“Lathrop Community Partners, a collaboration between Bickerdike Redevelopment Corporation, Heartland Housing, and Related Midwest, has partnered with the Chicago Housing Authority to lead a multi-year, multi-phase revitalization of the historic Julia C. Lathrop Homes development on Chicago's Northwest side. Situated between the Bucktown and Roscoe Village neighborhoods, Lathrop Homes is a 34-acre site bordered by the Chicago River, Diversey Parkway, and Clybourn and Damen streets. The redeveloped Lathrop Homes will be a mixed-income, mixed-use community that will include public, affordable and market-rate housing along with significant green and open space.

The goal of the Lathrop Homes redevelopment team is to produce a model urban mixed-use community offering housing that is affordable to families across a broad income spectrum. The development team's intention is to create a diverse, connected neighborhood with recreation, parks, community space and retail.

The Lathrop revitalization includes 1,116 residential units in three phases. Many of the existing structures will be historically preserved and restored. The development will include homes for public housing residents, households that qualify for affordable housing, and market-rate residents. All residents, regardless of income, will live in apartments with identical floor plans and stylish finishes, and washer/dryers will be included in every home.”

3. City of Chicago News Release, "New North Side TIF District Will Support Lathrop Homes Redevelopment" (October 5, 2016), last accessed November 11, 2016, online at:
<https://www.cityofchicago.org/city/en/depts/dcd/provdrs/tif/news/2016/september/new-north-side-tif-district-would-support-lathrop-homes-redevelo.html>.

A new Tax Increment Financing (TIF) district will support the mixed-income rehabilitation of the Julia C. Lathrop Homes public housing complex under a plan approved today by City Council. The Diversey/Chicago TIF district will generate an estimated \$17.5 million in increment for \$12.5 million in affordable housing construction and rehab costs and \$4.5 million for streets, utilities, and open space improvements.

"This new TIF District is the next step in moving the development of Lathrop Homes forward," said Alderman Joe Moreno. "I look forward to seeing the affordable housing replaced in the 1st ward and the addition of mixed-income housing."

Generally bounded by Wellington Avenue, Diversey Parkway, Clybourn Avenue, and Leavitt Street, the district includes a 21-acre section of the North Center and Lincoln Park communities along the North Branch of the Chicago River.

The multi-phase plan for the Lathrop complex includes approximately 1,100 mixed-income residential units built over multiple phases. The approximately \$170 million first phase of the project will include the renovation of 14 buildings by Lathrop Community Partners LLC into a mix of 413 studios to four-bedroom apartments.

In 2012, Lathrop Homes was listed as an historic district on the National Register of Historic places as a nationally significant example of community building and early public housing architecture. It is recognized as one of the largest, most thoroughly-executed, and best-preserved examples of America's first phase of public housing as well as of American urban and community planning in the inter-war period.

Lathrop Homes Section 106 Consultation
Response to Consulting Party Comments - September 20, 2016
(Pages 1-4)

1. **Is the City required to consider off-site/scattered public housing for the replacement of the remaining 500 units of public housing as part of this undertaking? (ACHP, LAC)(Central Advisory Council)**

The CHA is the lead agency under the jurisdiction of HUD to address any issues relating to development, acquisition or disposition of public housing units in the City of Chicago. The adverse effects determined under the Section 106 process are based on the demolition of NRHP-eligible resources and mitigation measures that will be proposed are not intended to address issues of off-site replacement housing to address this adverse effect. CHA is committed to producing 525 new housing opportunities, in general and opportunity areas on the north side of the city. CHA is currently working with developers and invites additional development proposals to assist in producing these housing opportunities.

2. **Is there a contingency plan if the 106 process is not completed by mid-November 2016? (ACHP)**

CHA and 2FM are committed to fulfilling all requirements of the Section 106 consultation process. The Section 106 process was initiated for this project in 2013 and the proposed design has continued to evolve based on consulting party input and feedback. Given the multi-year process that has been conducted and to meet funding deadlines for the fiscal year necessary to move this project forward, CHA and its partners are working diligently to complete the Section 106 consultation process by mid-November 2016 in order to meet a year-end closing required to protect certain funding sources. If the Section 106 process is not concluded by mid-November, CHA will continue to work with the consulting parties to reach proper resolution of adverse effects so that the redevelopment construction can begin as soon as possible.

3. **What other creative mitigation measures, beyond recordation, rehabilitation and on-site marker is the City Considering? (ACHP)**

Through the multi-year design charrette process and Section 106 consultation, CHA and the developer have continued to work with the surrounding community and historic consulting parties to avoid or minimize adverse effects of this project and to identify ways to mitigate for adverse effects that cannot be avoided. Potential mitigation measures were reviewed as part of this most recent consultation to obtain additional thoughts on mitigation measures. In addition, the next round of consultation meetings will review these mitigation measures in further detail and take comments and ideas on any additional creative mitigation measures that may be considered in developing and finalizing the Programmatic Agreement. At this time, mitigation measures identified include recordation, provision of a permanent exhibit

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on the property, the rehabilitation of 21 contributing resources and design in accordance with the Secretary of the Interior's Standards and National Park Service Guidelines.

4. How is the City Notifying the public of the Section 106 consultation Process, and inviting their views in resolving adverse effects? (ACHP)

A Draft Section 106 Public Participation Report, dated February 13, 2013, was provided by the developer as part of the earlier Section 106 consultation process. This report outlines how the public involvement process has continued to be coordinated with the Section 106 process. Over the life of this project and consultation, an extensive public involvement process has been undertaken to understand public concerns. The Public Participation Report is being updated to provide information on those meetings and presentations which have occurred since February of 2013 to fully document all opportunities for public involvement.

In brief, in addition to Section 106 historic consultation, this comprehensive public involvement plan has included development of a working group specifically for Lathrop Homes, community workshops, interviews with over 100 people including Lathrop residents, community groups, and other agencies and organizations with potential interest in the project. Input has been sought on all aspects of the project, including adverse effects to historic resources. Over the last two years in reinitiating the Section 106 process and updating the public on the most recent plans for redevelopment, CHA and the developer have continued to engage the public and solicit their views and apprise them of steps in completing the environmental review and Section 106 consultation process. This has included 17 working group meetings where updates on the archeological study were provided/reviewed, revisions to the master plan, and discussions with the National Park Service. Further, invitations to all public meetings were provided to solicit input from the public, and re-initiation of the Section 106 process was undertaken. Also occurring during this period, in February of 2016 a full community meeting as well as a public hearing on the master plan was conducted to present and take comments on revisions to the master plan.

As part of the Section 106 consultation re-initiation, all consulting parties previously involved in the Section 106 process, including elected representatives, historic stakeholders, and community stakeholders, were notified by email on December 18, 2015. This list included over 25 organizations representing constituents throughout the community. Follow up e-mails as well as phone calls were made to consulting parties that did not immediately respond to ensure that they had received this invitation to continue as a consulting party and to ensure that 2FM had current contact information.

The August 1, 2016 consultation/public meeting notice was disseminated to all consulting parties and stakeholders via email on July 18, 2016, posted by CHA at the Julia C. Lathrop

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Homes, and made available at the July 21, 2016 City of Chicago Plan Commission meeting to ensure adequate opportunity for the public to become involved in the process and attend the consultation meeting. Coordination of public involvement and the Section 106 process will continue through project development.

5. **The plan calls for the demolition of 55 townhouse units located in three buildings south of Diversey Avenue. These units should be preserved and redeveloped. (Charles Hogren, Kimball Avenue Church, Lathrop Alumni Association, Preservation Chicago)**

A number of efforts have been taken in the multi-year development of design plans to minimize adverse effects and provide a continuity between the historic property features and proposed design plans. With the Request for Qualifications (RFQ) requirement to return 400 CHA units to the site within the context of a successful mixed income community, the unit count at Lathrop Homes must be increased in order to have a continuum of affordability that can be sustained. Original studies by the development team sought to increase the density to 1,600 dwelling units with 50% market rate, 25% tax credit units and 25% CHA units. In this original plan, only nine buildings were retained in their entirety. Each iteration of the plan since has increased the level of preservation based on consulting party input and further technical feasibility analysis. In the most recent plan presented at the August 1, 2016 consulting party/public meeting, 1,116 units are proposed and 21 buildings are retained and all are proposed to be rehabilitated in accordance with the Secretary of the Interior's Standards. However, in order to have a successful mixed income community the density cannot be reduced and the percentages of 44% market rate, 20% affordable and 36% CHA units represent a sustainable ratio. Therefore, some demolition must occur to provide areas within the plan for more dense building types. The buildings that have been proposed for demolition have been selected to minimize the impact on the historic resource. Among those are the 55 townhouse units described.

The original architects of Lathrop homes worked from a "kit of parts" provided to them by the Housing Division of the Public Works Administration. These unit types were configured into the various building types found throughout Lathrop Homes, including the town house buildings. The units identified are configured into four buildings along Hoyne Avenue south of Diversey Parkway. However, these buildings and unit types are not unique to Lathrop Homes. In addition to the units and buildings identified, there are 6 additional units located in south campus building M as well as eight in north campus building H (See attached site plan taken from the National Register nomination form for building designations). These two buildings are hybrid buildings which contain both flats and town house units. Further there are an additional five buildings on the north campus which were

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designed exclusively as town house buildings originally constructed with 78 units. All five of these buildings will be retained.

While north campus buildings B, D and F will be reconfigured into to flats in order that Type A and Section 504 units may be provided in historic buildings, building P will be rehabilitated retaining one historic town house unit.

In addition, the kitchen gardens were not unique to the buildings identified. They occurred at every town house building on the site and areas for gardens are being retained at buildings B, D and F. **Attachment A** of this Response to Comments document, which was presented to consulting parties and is part of the National Register form, is included for mapping reference.

- 6. Row houses at Leavitt and Oakdale should not be converted to maintenance shops and a boat house. They should remain housing. (Kimball Avenue Church, Lathrop Alumni Association, LSNA)**

A total of 31 contributing structures are located within the National Register designated property. Twenty-one are proposed to be retained with 19 for housing. As a rehabilitation project, the adaptive re-use of two structures for recreational and property management is appropriate and as an ensemble, all 21 of the remaining buildings (including those cited) will continue to exhibit the National Register's seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association¹.

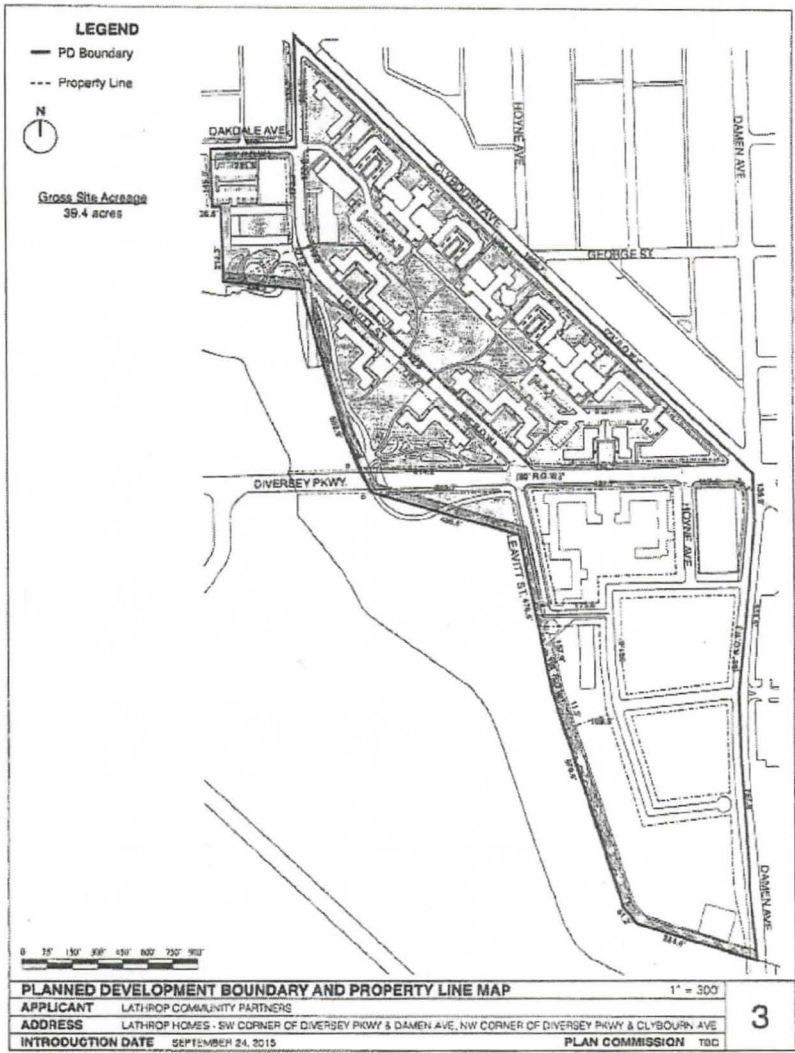
- 7. The change of use from public housing to a mixed income development should be considered an additional adverse effect. (LAC)(Central Advisory Council)**

The adverse effects identified include demolition of 10 contributing structures as well as modifications to the original landscape plan. Design plans will adhere to the Secretary of the Interior's Standards for historic properties and architectural features are being designed to continue to retain the National Register's seven aspects of integrity; therefore, this re-use of property as a mixed-income development was not determined to rise to the level of adverse effect.

- 8. Is the Boys and Girls Club of Chicago engaged in planning for rehabilitation of the building? (Lathrop Alumni Association)**

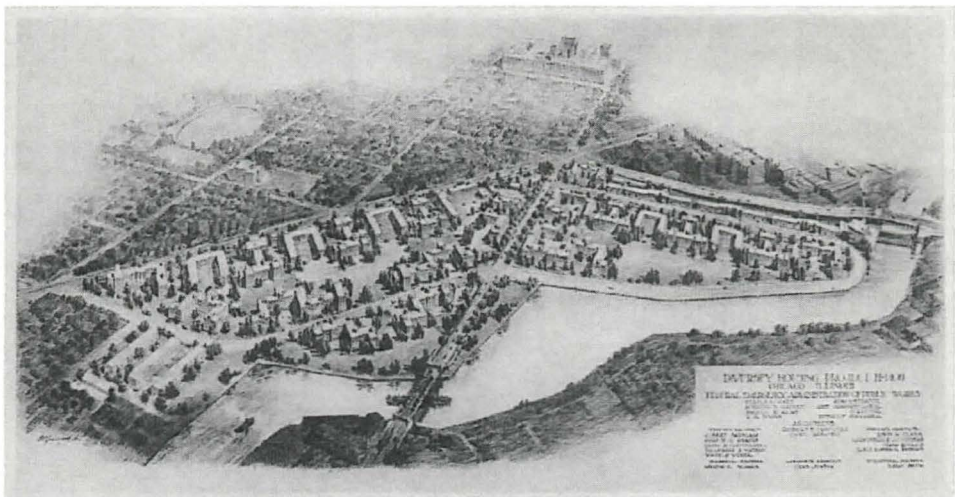
¹ Additional information on the National Register's seven aspects of integrity may be found at: https://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_8.htm

Planned Unit Development site map for the Lathrop Redevelopment, presented to Chicago City Council for zoning approval on September 24, 2015.

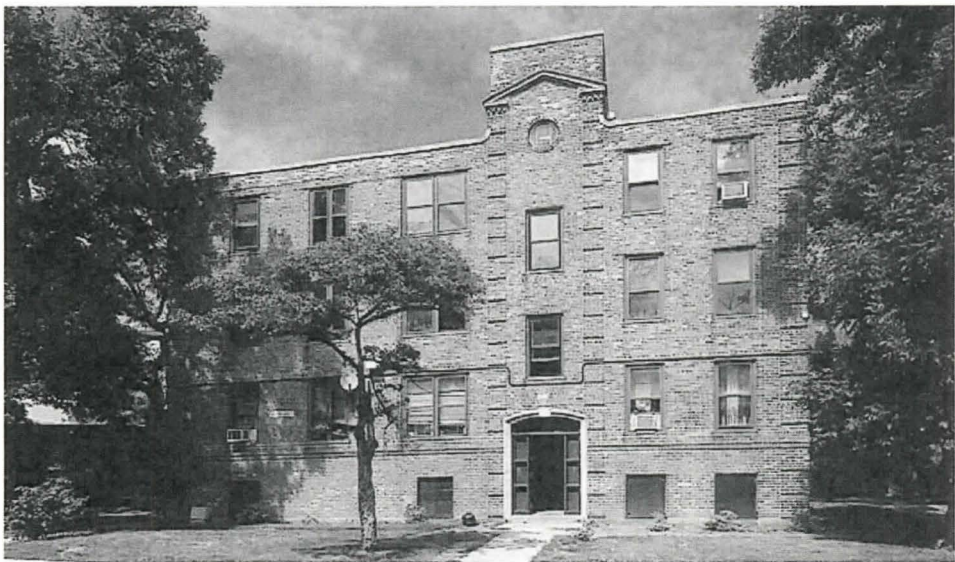


Marking development site boundary lines and gross site acreage (39.4 acres).

EXHIBIT C



Aerial rendering of Julia C. Lathrop Homes, mid-1930s



Julia C. Lathrop Homes today

**Julia C. Lathrop Homes Redevelopment
Chicago, Illinois**

SITE INTEGRITY REPORT

July 12, 2016

EXHIBIT D

*Julia C. Lathrop Homes Redevelopment
Section 106 Site Integrity Report
July 12, 2016*

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- V. Analysis of Lathrop Homes' Ongoing National Register Eligibility

I. Introduction

Report Objectives

The objective of this report is to study the impact of Lathrop Community Partners' (LCP) initial Lathrop Homes master plan on the significance and integrity of the site's remaining National Register-contributing structures.

Julia C. Lathrop Homes History and Current Structures

Chicago's Julia C. Lathrop Homes was designed by a team headed by architect Robert DeGolyer and was completed in 1938. The site is known for its 1930s site plan, its Moderne and Classical Revival-inspired architecture, and for its landscapes designed by Danish-American landscape architect Jens Jensen, a notable figure in the development of Chicago's West Side park system.

Lathrop Homes was placed on the National Register of Historic Places in 2012. Lathrop Homes' 31 original structures were nominated under National Register Criterion C as a "nationally-significant example of Regional Planning Association of America (RPAA) community building and early public housing architecture."

Today, all of Lathrop Homes' original 31 contributing buildings completed in 1938 survive (see Section II). The site is divided into two distinct areas, bisected into separate north and south campuses by Diversey Parkway. North of Diversey Parkway, there are 16 original residential structures including 10 three-to-four story apartment buildings and 6 two-story rowhomes. South of Diversey Parkway, there are 13 original residential structures including 7 three-to-four story apartment buildings and 6 two-story rowhomes. Original contributing non-residential structures include a single-story administration building on the north side of the site at the intersection of Clybourn Avenue and Diversey Parkway and the Power House structure at the far south edge of the site. Two large non-contributing structures were added after 1959: the eight-story Senior Apartments tower and parking lot along Leavitt Street south of Diversey Parkway and the Mary Crane Nursery/Boys Club building on Leavitt Street north of Diversey Parkway.

2013 Initial Master Plan for Julia C. Lathrop Homes

Plans to redevelop the Lathrop Homes site were initiated in the late 2000s by the current owner of the site, the Chicago Housing Authority (CHA). In January 2011, CHA selected Lathrop Community Partners (LCP) as the master developer team to lead the redevelopment of Lathrop Homes. Among LCP's primary objectives were to create a master plan that incorporates as much of Lathrop Homes' existing historic structures as possible and retains the site's residential purpose as a community with a mix of housing options for a variety of income levels. LCP's master developer team continues to collaborate with its consultant team, with current onsite residents, and with residents of the surrounding neighborhood to achieve a Lathrop Homes revitalization that respects the site's rich history, addresses the needs and concerns of current residents and neighbors, and to develop a community which is home to safe, healthy families who are enduring, rooted, and empowered and enjoy sustainable affordability and opportunity.

The initial master plan (see Section III) presented to the public by LCP in July 2013 has been modified based on comments from the National Park Service, IHPA, the consulting parties and other agencies and organizations. The current master plan proposes maintaining Lathrop Homes as a model for providing affordable housing today with amenities to sustain a vibrant

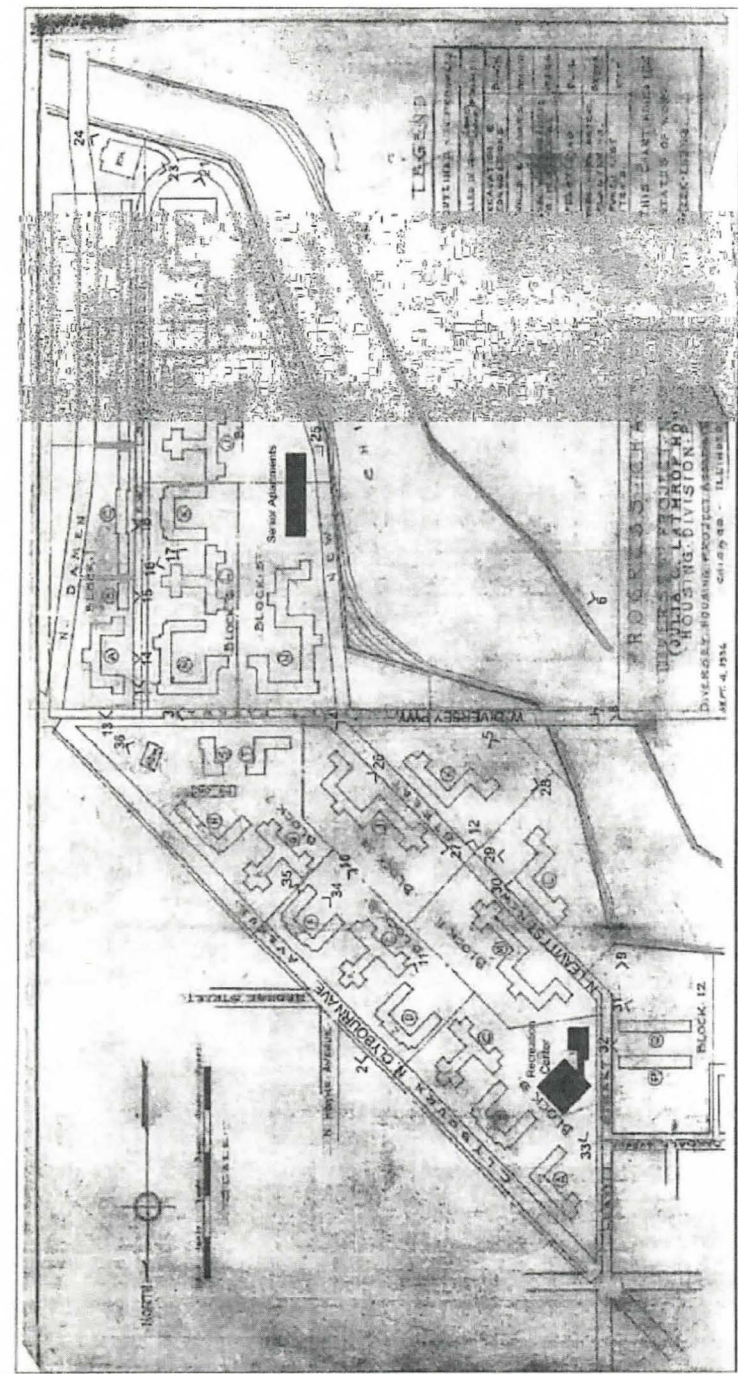
and diverse community of mixed-income residents. The master plan retains a majority of Lathrop Homes' original contributing structures, replacing some contributing buildings with new structures. The master plan retains all 16 contributing residential buildings and the Administration Building on the Lathrop Homes' north side. On Lathrop Homes' south side, the master plan retains 3 contributing apartment buildings along Diversey Avenue and the iconic Power House at the south end of the site. New structures constructed on the Lathrop Homes site will house new residential units, community facilities, commercial opportunities, and management offices.

The initial master plan supports 400 required CHA units dispersed among new and existing Lathrop Homes' buildings. Lessons from past successful mixed income developments show that increased density to provide a sustainable mix of income levels across the site is key to the success of Lathrop Homes' important ongoing public housing mission. New and existing residential and mixed use buildings on both the north and south sides of the site will provide the variety of housing options; walkable retail and community services options and onsite jobs for residents that will help maintain Lathrop Homes as a self-sustaining neighborhood far into the future.

*Julia C. Lathrop Homes Redevelopment
Section 106 Site Integrity Report
July 12, 2016*

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II. Existing Site Plan

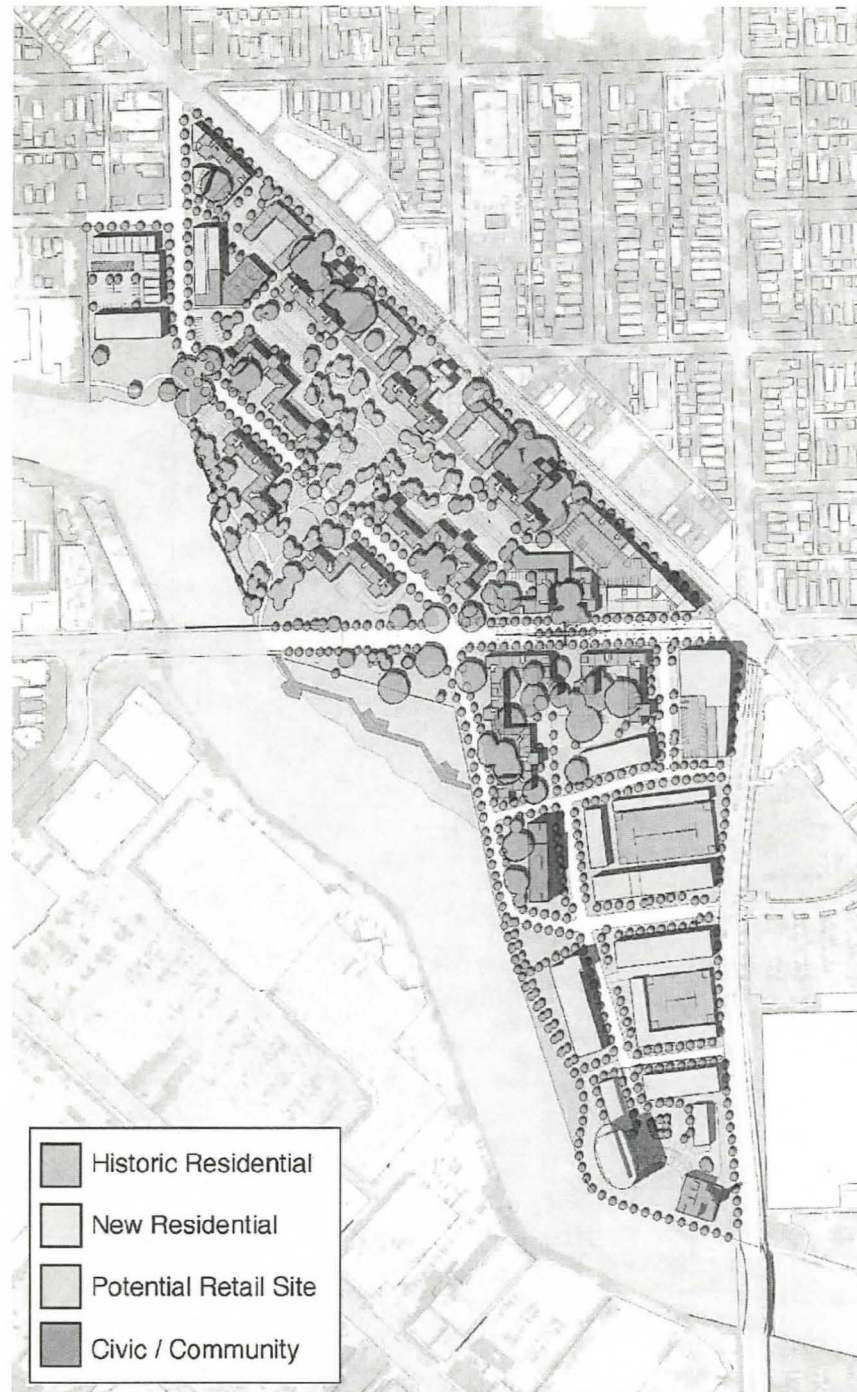


Photokey. Plan adapted from Site Plan, Julia C. Lathrop Homes. Housing Division Construction Plans, RG 196. NARA II. Footprints of contributing buildings are solid.

Julia C. Larrrop, *Women's Historic District, Chicago, Cook County, Illinois*

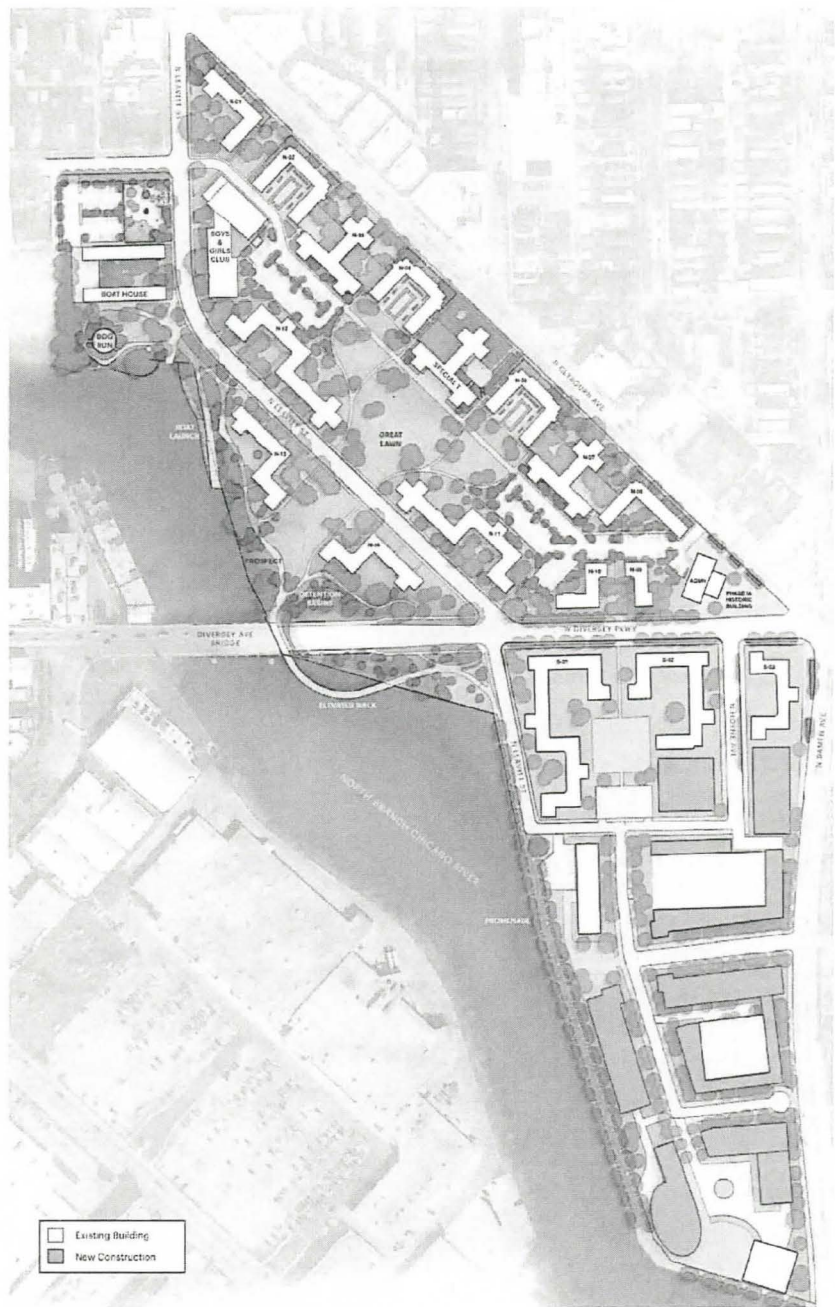
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III. Initial Master Plan



Julia C. Lathrop Homes Redevelopment
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July 12, 2016

IV Current Master Plan



Lathrop Homes Phase 1 Concept Design: Graphic Plan DRAFT
Michael Van Valkenburgh Associates
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V. Analysis of Lathrop Homes' Ongoing National Register Eligibility

Julia C. Lathrop Homes was nominated for the National Register under Criterion C for its significant planning and architecture. The buildings that remain in the initial master plan retain their significance as excellent examples of 1930s planned public housing and their eligibility for the National Register for the following reasons:

1) A majority of the historic buildings will remain intact

Of Lathrop Homes' 31 existing contributing buildings, part or all of 21 (68%) contributing buildings will be retained in the master plan.

Of Lathrop Homes' approximately 760,000 square feet of existing contributing buildings, approximately 543,000 square feet (71%) of contributing buildings will be retained in the master plan.

2) Lathrop Homes' remaining buildings will continue to display the planning features described as significant in the National Register nomination

Lathrop Homes original 1930s design displays planning elements that are character-defining features in its National Register nomination. These elements will be maintained on the north side of the Lathrop Homes site.

Lathrop Homes' original planners adhered closely to the community design principles of the Regional Planning Association of America (RPAA), a group of architects and planners who advocated the construction of low-rise residential buildings set amidst open, protected, and automobile-free green spaces. Instead of subdividing the site with streets into distinct city blocks, planners designed Lathrop Homes' north and south campuses as "superblocks" by reducing onsite streets to a minimum. Following RPAA guidelines, planners pushed new residential structures to the edges of Lathrop Homes' two superblocks, using these buildings as "buffers" between busy perimeter streets and open internal green spaces. The RPAA-inspired superblock intended by Lathrop Homes' original planners is best expressed on the north campus with its winding perimeter wall of residential buildings encircling landscape architect Jens Jensen's "Great Lawn."

Most residential structures at Lathrop Homes are two- or three- stories high and none exceed four stories. Lathrop Homes' apartments were at maximum two rooms deep and were designed to have window openings facing out both sides of each building, allowing optimal access to light and natural ventilation. Site planners offered residents a choice of three types of residential structures: two-story rowhomes with front and rear doors that opened to the exterior at ground level; three- and four-level apartment buildings that contained units with shared stairwells and basement laundry and storage facilities; and "combination" buildings that contained both apartments and rowhomes. Examples of these three types were dispersed across the site, constructed as independent free-standing structures within Jensen's park-like landscape.

Lathrop Homes' innovative design was also a reaction to several urban challenges present on the site in the 1930s. The 35-acre property selected for Lathrop Homes was located just west of a functioning industrial site and the Lathrop Homes property itself had recently been

the home of an International Harvester's manufacturing division. The Chicago River that lines the west edge of the Lathrop Homes site was still a functioning commercial waterway, not the ideal vista for a shoreline residential development. In response to the site's industrial character, Lathrop Homes' planners turned the focus of the site inward, designing intimate outdoor kitchen gardens and "outdoor rooms" which Lathrop Homes' housing structures defined and protected from view.

With existing Diversey Parkway bisecting the site into north and south sections, Lathrop Homes' planners also sought to limit additional car traffic across the site by rejecting the imposition of the Chicago city grid on the new development. Planners avoided introducing new access streets along Clybourn and Damen and instead strung Leavitt Street across the southwest corner of the site's northern section and continued Leavitt as a loop across the south end of the site. The result maximized space for gardens, lawns, and plantings and prevented the pollution and disturbance believed to plague Chicago's older neighborhoods that accommodated automobile traffic, but it also led to community isolation and disconnectedness.

The buildings remaining in the master plan retain all of Lathrop Homes' significant planning elements and will continue to tell the story of this innovative 1930s public housing model. On the north portion of the site, all 16 residential buildings representing examples of all 3 of Lathrop Homes' original building types – rowhomes, apartment buildings, and combinations – will remain in their current locations. These along with the Administration Building are integrated with small, intimate green spaces as originally designed. The assembled 16 residential structures will face a large center lawn inspired by Jens Jensen's original landscape design, retaining the overall spatial character of the original 1938 development. New construction and additions will be limited on Lathrop Homes' north side, retaining the site's low-rise character and the intimate kitchen gardens and "outdoor rooms" that were critical to the Lathrop Homes' early planners.

While the planning of both north and south sides was guided by the same RPAA principles, Lathrop Homes' north side with its intact central open space maintaining the carefully planned relationships between its historic residential structures retains the most integrity. The Jensen landscape at the core of the Lathrop Homes' south section was disrupted by the 1960s construction of the eight-story Senior Apartments tower and parking lot along Leavitt Street, altering the relationship between the residential buildings and their once open surrounding landscape. The failing structural integrity of the south side's Building L and G, both 3-story apartment buildings that have been closed and fenced off for safety reasons, further lessens the historic integrity of the south side. Overall, the retention of a majority of Lathrop Homes' National Register-contributing buildings on the north portion of the site, best expresses the progressive ideals of the sites' original planners.

3) Lathrop Homes' remaining buildings will continue to display the architectural features described as significant in the National Register nomination

Lathrop Homes' original 1930s design displays architectural elements that are character-defining features in its National Register nomination. These elements will be maintained on the north side of the Lathrop Homes site.

Architectural ornament

All of Lathrop Homes' original 1938 buildings were clad in variegated brown or red brick and were detailed with brick corbelling and quoining. The site's original architectural team created several distinct Moderne- and Classical Revival-inspired building ornament designs that were used on different buildings across the site. This variety of historic exterior ornament and craftsmanship will continue to be represented on the historic structures at Lathrop Homes..

Windows and doors

All of Lathrop Homes' original steel casement windows have been replaced with aluminum double hung windows and many doors have been replaced. Windows and doors on the remaining buildings will be replaced with products similar to those intended for the site and will revive the overall historic character of the site.

Interiors

Lathrop Homes' original residential units were small but efficient. Typically, a living room and kitchen were grouped together near a unit's front door with the kitchen containing a sink, stove, refrigerator, and built-in cabinetry. Units included one or two bedrooms and one bathroom with a bath, sink, and toilet. Interior doors were of wood and walls were finished in plaster, ceilings in concrete, living and bedroom floors in asphalt tiles, kitchen floors in asbestos tile, and bathroom floors in ceramic tiles. Common stairwells in apartment buildings had concrete floors, glazed terra cotta walls, concrete ceilings and metal stairs with concrete treads. Basement common spaces had concrete walls, floors and ceilings and were generally left unfinished.

Little historic integrity survives within Lathrop Homes' residential buildings. The bathroom and kitchen features that made Lathrop Homes an innovative 1930s housing model have long since been replaced with modern appliances and cabinets. Seventy-five years of use have severely compromised the integrity of the historic residential buildings' interior and have removed almost all original finishes within the apartment units. The stair halls and basement common spaces have also seen extreme wear and do not meet the requirements of current building codes or the demands of modern living.

In order to maintain the buildings' historic exteriors and site placement, the buildings' interiors will be rehabilitated to accommodate modern apartment units along with amenities that will make for an attractive residential destination.

4) Lathrop Homes will continue to be a living example of viable affordable housing

The building of Lathrop Homes along with 51 other Public Works Administration Housing Division multi-residential projects in the late 1930s was the culmination of decades of American housing reform. When it was completed in 1938, Lathrop Homes was a model of New Deal aspirations for housing that was clean and attractive, inexpensive to build, and affordable for its residents.

Per the Secretary of the Interior's Standards, Lathrop Homes will continue to be used as it was historically – as a multi-family residential development with an important affordable

housing component. Changes to historic structures will support that original and ongoing residential function and will be executed in a manner that respects Lathrop Homes' original character-defining elements. New structures on the property will also aid in achieving the original intent of Lathrop Homes' planners to maintain a vital and relevant community for low-income Chicagoans.

5) Lathrop Homes' remaining north side buildings retain the National Register's seven aspects of integrity

The National Register traditionally recognizes a property's integrity through seven aspects or qualities: location, design, setting, materials, workmanship, feeling and association. The remaining 17 historic structures on Lathrop Homes' north side retain all seven of these important aspects of integrity.

Despite the changes it proposes to Lathrop Homes' original site plan and buildings, the historic structures that remain in the initial master plan retain their historic integrity. 21 historic Lathrop Homes structures will remain in their original locations. The retention of all of Lathrop Homes' distinct north campus will continue to help tell the story of their associations with progressive 1930s American housing policies. The retention of the historic Clybourn Avenue and Diversey Parkway street walls, the assembly of historic buildings and landscape at the north side of the development, and the iconic Power House at the south end of the development will all help maintain Lathrop Homes' historic setting and sense of place. The remaining buildings with their intact Moderne- and Classical Revival-inspired brick and stonework will continue to express the design creativity of Lathrop Homes' original planners and architects and the workmanship that sets early public housing projects like Lathrop Homes apart.

6) Lathrop Homes' public face will remain intact

The development's original planners gave Lathrop Homes a distinct face along its perimeter streets. Along Clybourn Avenue, the 1938 plan presented all three of the development's building types, alternating rowhomes apartment buildings, and a combination building, and displaying all of the Moderne- and Classical Revival-inspired building ornament designed specifically for the site. Likewise, apartment buildings were lined along north and south sides of Diversey Parkway, the north leg of the citywide boulevard system. Two winding apartment buildings along each side of Diversey Parkway form an open court spanning the street, a prominent outward-focused space that is today still used for bus stop locations and as formal entrances to Lathrop Homes' north and south sections.

The original planners of Lathrop Homes' south side intentionally avoided addressing busy Damen Avenue. Because of the industrial setting of the Lathrop Homes site and the upward-sloping ramp of the Damen Avenue bridge at the site's southeast corner, the original planners avoided the creation of a challenging Damen Avenue street front. Instead, planners oriented the front doors and gardens of the rowhomes parallel to Damen west away from the busy thoroughfare. Pedestrians and automobiles were prevented from accessing the site by Damen Avenue and were instead directed to the housing project's south side by way of sidewalks and streets accessed by Diversey Parkway. The result imposed an increased isolation of the southern half of Lathrop Homes that still lasts today.

All of the original buildings that have traditionally composed the public face of Lathrop Homes, all but two will be retained and incorporated into the initial master plan. 10 original structures along the west side of Clybourn Avenue and along both north and south sides of Diversey Parkway will be rehabilitated and will continue to lend historic character to these busy streetscapes.

As the south side of the Lathrop Homes site never critically addressed the Damen Avenue streetscape, the east face of the south side's rowhomes and their relationship to Damen Avenue cannot be considered a character-defining element of the Lathrop Homes site. Removal of the rowhomes along Damen Avenue will not negatively impact the historic character of the site nor will it impact the significance and integrity of the north side buildings that remain in the initial master plan.

7) The southern Power House will remain intact

The tallest structure on the Lathrop Homes site, the original riverfront Power House with its iconic brick smokestack, is a contributing structure in the National Register nomination. The Power House was completed in 1938 and was originally used to provide electricity and steam heat to Lathrop Homes' residential units. The facility no longer functions as a power station but remains the dominant and character-defining element of Lathrop Homes' south side.

The Power House is retained in the initial master plan and will be adaptively reused as a destination retail or community building. Any work to the structure is intended to be executed according to the Secretary of the Interior's Standards for the Rehabilitation of Historic Structures and therefore the Power House will retain enough of the significance and integrity to retain its eligibility for the National Register.

8) Additions and interventions intended to be executed according to the Secretary's Standards

The updating of historic structures Lathrop Homes' historic structures may require the inclusion of contemporary structures and additions that address modern sustainability and accessibility requirements. Any new construction is intended to follow the Secretary of the Interior's Standards for the Rehabilitation of Historic Structures and will not impact the significance and integrity of Lathrop Homes' remaining structures.

**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. |) | |

MEMORANDUM IN SUPPORT OF MOTION

This memorandum is submitted in support of plaintiffs’ motion for an order authorizing redevelopment of defendant Chicago Housing Authority’s Julia C. Lathrop Homes public housing project. Subject to certain conditions, plaintiffs support the proposed redevelopment, which – under this Court’s Judgment Order of July 1, 1969, 304 F. Supp. 736 – requires an appropriate authorizing order from the Court. This memorandum explains why such an order, and conditions, are required.

I. Background.

The defendant, Chicago Housing Authority (CHA), proposes to develop a mixed-income community on the site of Julia C. Lathrop Homes (Lathrop), a public housing project in a “General Area” on Chicago’s North Side. The development team hired by CHA, Lathrop Community Partners (LCP), is comprised of Related Midwest, a national private development firm, Bickerdike Development Corporation, a local nonprofit dedicated to developing affordable housing on Chicago’s North Side, and

Heartland Housing, a national nonprofit with a sizeable affordable housing development and management group.

Lathrop, built by the federal government in 1938, consists of 925 low-rise family public housing units and a later-added 91-unit elderly building. In recent decades Lathrop's family units began to fall into disrepair, and CHA stopped filling vacant apartments prior to redevelopment planning. Currently only about 15 percent of Lathrop's family units – 144 – are inhabited. In 2006 CHA announced its intention to redevelop Lathrop Homes. Over the next several years it sought a developer, and LCP was selected in 2010.

The Lathrop Development Plan (Plan)¹ calls for the development of 1,116 residential units – 401 public housing Dwelling Units, 494 market rate units, and 221 affordable units.² The Plan entails demolishing some buildings, renovating others according to historic preservation standards, and constructing several new residential mid-rises. However, although Lathrop currently contains 925 family public housing units, under the Plan only 401 such family units will be preserved on site. While CHA has publicly committed to replacing the 524 “lost” public housing units in General and “Opportunity” Areas on the North Side of Chicago,³ the Plan is intended to address only the Lathrop site itself and does not provide for such replacement.

¹ Documents Describing the Plan for the Lathrop Redevelopment are attached as Exhibit A.

² The 1,116 units will be “44% market rate, 20% affordable and 36% CHA.” Lathrop Homes Section 106 Consultation Response to Consulting Party Comments, p. 3 (Sept. 20, 2016), attached as Exhibit B. In February, 2012, Lathrop was placed on the National Register of Historic Places for its distinctive architectural design, and in 2013 LCP began the “Section 106” process, so named for Section 106 of the National Historic Preservation Act, to obtain federal historic preservation tax credits for the site. The Lathrop elderly building will remain on site but is not part of the redevelopment plan or of plaintiffs’ motion.

³ “CHA is committed to producing 525 new housing opportunities, in general and opportunity areas on the north side of the city.” Exhibit B, p.1. CHA and plaintiffs have agreed on “Opportunity

The Plan has been approved by the City of Chicago's Department of Planning and Development and the City Council, and is the product of extensive community dialogue and regular meetings of the Lathrop Working Group over a period of nearly five years. While current Lathrop residents and residents of the surrounding community hold a range of views on how the redevelopment should proceed, the Plan is a compromise that incorporates many concerns expressed through the community process – including a variety of housing types, historic preservation, environmental sustainability, economic development, improvement of green space and riverfront, and increased accessibility – as well as the developer's views as to what is feasible.

Unusually, this is not a motion filed jointly with CHA. Heretofore plaintiffs and CHA have together sought court orders authorizing CHA redevelopments both before and under its Plan for Transformation, and providing “waivers” from various provisions of the Judgment Order. Indeed, since 1993 plaintiffs and CHA have filed some 50 joint motions seeking such authorizations, or “waivers,” or both.

In anticipation of the Lathrop redevelopment timeline – the first financial closing of the redevelopment is currently expected in January 2017 – plaintiffs submitted a draft joint motion and agreed order to CHA in March 2016. Although plaintiffs several times sought to meet with CHA to discuss the draft documents, it was not until September 2016 that CHA agreed to such a meeting. Finally, on October 11, 2016, a meeting was held, following which, on October 12, CHA informed plaintiffs that it did not agree that an order respecting Lathrop redevelopment was required.

Areas” on the North Side of Chicago as desirable areas for the location of Gautreaux remedial units, an agreement reflected in this Court's Agreed Orders of November 6, 2014 and August 6, 2015.

However, as the Seventh Circuit has noted, a judicial order is required before CHA may proceed with new construction or unit acquisition when such additional units would not comply with the Judgment Order:

“[T]he CHA has had to ... negotiate new building plans with plaintiffs, whenever the Plan [for Transformation] would require something inconsistent with *Gautreaux II*. The plaintiffs have been cooperative. Beginning with the redevelopment of the Henry Horner housing project on the City's near west side in 1995, the plaintiffs repeatedly have joined the CHA in requests for waivers from the district court of various restrictions in its remedial decree, so that construction of replacement public housing units can go forward.” *Gautreaux v. Chicago Housing Authority*, 491 F.3d 649, 653 (2007).

Plaintiffs believe, for reasons now to be explained, that this is a “something inconsistent” situation.

II. The Proposed Lathrop Redevelopment Merits Authorization by the Court and Requires an Appropriate Order Addressing the 524 “Lost” Dwelling Units.

Because Lathrop’s location confers unusually strong benefits on CHA families, plaintiffs support the Plan. However, a court order is required to address the “lost” 524 Dwelling Units.⁴ Lathrop is in a General Area and is situated among amenity-rich neighborhoods with quality public schools, low crime rates, a variety of job opportunities, and access to parks, retail, and healthcare on Chicago’s North Side. The North Side is generally characterized by low rates of poverty and segregation, and has less family public housing, including mixed income developments, than the West and

⁴ Many former residents of Lathrop have been waiting since the early 2000s to return to their homes at Lathrop, and thousands of other families on CHA's waitlist have likewise been awaiting housing for many years. In deference to the long-deferred needs of these families -- all members of the *Gautreaux* class -- plaintiffs support the immediate commencement of the long-delayed redevelopment of Lathrop even without the *prior* replacement of the “lost” 524 units, and rely on an appropriate Court order to assure that replacement will proceed as rapidly as feasible.

South Side areas where most of CHA's non-elderly portfolio is located. Moreover, Lathrop is to be developed as a mixed-income community, with its public housing units dispersed among non-public housing units.

By providing public housing residents with opportunities to live in an amenity-rich North Side area in a desirable mixed income setting, the Plan appears to further the purposes of the Judgment Order. (These same considerations justify waiver of the Judgment Order's concentration maximum – see Part III of this memorandum.)

However, “appears to” is key, for the major issue of the “lost” public housing units must be satisfactorily addressed before the Lathrop redevelopment can comply with the Judgment Order. Although, as noted, CHA has publicly committed to so replacing these units (see note 3 above), it has recently taken the position that it has no legal obligation to do so.⁵ This position cannot be squared with CHA's Judgment Order obligation to “affirmatively administer its public housing system in every respect (whether or not covered by specific provision of this judgment order) to the end of disestablishing the segregated public housing system which has resulted from CHA's unconstitutional site selection and tenant assignment procedures.” 304 F. Supp. 736, 741 (1969). As the Seventh Circuit has explained,

“[T]he injunction required that the CHA ‘affirmatively administer its public housing system in every respect’... The idea was to bring about a gradual cure of the CHA’s constitutional violations over time, as CHA made new units available to public housing residents.” *Gautreaux v. Chicago Housing Authority*, 178 F.3d 951, 953 (1999) (citing *Gautreaux*, 304 F. Supp. 736 at 741).

Quite obviously, CHA cannot comply with an order that mandates placing new units in General Areas by eliminating 524 units from those selfsame areas and asserting

⁵ In a letter to plaintiff's counsel on October 12, 2016, CHA stated, “We do not view the Lathrop redevelopment plan as inconsistent or violative of” the Judgment Order.

that it has no legal obligation to replace them. Removing, rather than adding to, General Area units would flout the Judgment Order. Acceptance of CHA's no-legal-obligation position would create a massive hole in the fabric of the Judgment Order. It would, indeed, in theory, entitle CHA, over time, to remove *all* of its General Area units.

Accordingly, for the Judgment Order's affirmative mandate to have any meaning in the Lathrop context, CHA must be legally obligated to replace the "lost" units in General or Opportunity Areas on the North Side. As this Court has emphasized, the Judgment Order is of a "sweeping nature ... the terms of which are as broad as the violation which it was designed to correct." 4 F.Supp.2d 757, 758 n. 1 (1998). In the case of Lathrop it requires an order that the "lost" 524 units be replaced. Ensuring replacement of these units in General and/or Opportunity Areas of Chicago's North Side is crucial to complying with the letter, and essential to achieving the spirit and purpose, of the Judgment Order. Plaintiffs are submitting a draft order to this effect for the Court's consideration.

III. The Proposed Lathrop Redevelopment Requires "Waiver" of the Judgment Order's Concentration Limit.

This Court's July 1, 1969 Judgment Order provides that "CHA shall not concentrate large numbers of Dwelling Units in or near a single location," and that "No Public Housing project shall contain Dwelling Units designed for occupancy by more than 120 persons" (generally about 30 units) except in certain circumstances. 304 F. Supp. 736, 739 (1969).

In its October 12, 2016 letter to Plaintiff's counsel, CHA asserted that the Judgment Order's concentration restrictions do not apply to Lathrop redevelopment because unit concentration for Judgment Order purposes should be measured not by the concentrations provided for in the Lathrop Plan but by the concentrations in each sub-phase of LCP's planned construction. Thus, CHA asserts that "Phase 1A" of Lathrop does not violate the Judgment Order's concentration provision because the portion of Lathrop redevelopment included in Phase 1A consists only of "a substantial rehabilitation of fourteen existing Lathrop low-rise buildings ... and construction of a 59-unit mid-rise building." (CHA letter to plaintiffs' counsel, October 12, 2016.)

CHA cannot, however, use phasing to avoid its Judgment Order obligations. Moreover, even if the Court were to consider Phase 1A alone, waiver of the concentration provision would still be necessary.

Generally, the purpose of staged construction in a residential development is to obtain financing in phases, as it is difficult to secure at one single moment in time sufficient financing (including loans, tax credits and public subsidies) for an entire large-scale development. Staging is also helpful in holding developers accountable for construction timelines. Phasing at Lathrop is additionally intended to provide for construction of Dwelling Units to begin on the northern portion of the site, where all of the residential buildings are currently vacant, while maintaining housing for families currently living in the southern portion.

However, phasing is not a tool for evading the Judgment Order. CHA and LCP have consistently presented Lathrop as a single development. Thus, Lathrop has one development team, which signed one Master Development Agreement under one Master

Plan. LCP presented one Housing Impact Study for one project area. CHA requested that Lathrop be placed on the National Historic Registry as one site. CHA presented one Planned Unit Development Application to the City Council's Zoning Committee, and CHA obtained amended zoning for one development site.⁶

Moreover, plaintiffs and defendant have a long history of treating phases (and sub-phases) as part of a single overall development.⁷ When prior orders were phase-specific, it was because the developments at issue were in Limited Areas and the parties did not know if, or how, they would proceed respecting future phases of construction. That is not the case here, as Lathrop is in a North Side General Area and the parties are in agreement about wanting to complete all planned phases of construction. CHA's position – that Lathrop redevelopment does not require a waiver of the Judgment Order's concentration provision -- is thus insupportable.

Nor is CHA's position correct even when "Phase 1A" is examined in isolation from the Plan of which it is a part, for the public housing units to be developed in Phase 1A alone are Dwelling Units under the Judgment Order whose number (151) exceeds the Judgment Order's concentration provision.

The Judgment Order defines Dwelling Unit as "an apartment or single family residence which is to be initially made available to and occupied by a low-income, non-elderly family, subsequent to the date hereof, directly or indirectly by or through CHA."

⁶ Planned Unit Development Site Map for the Lathrop Redevelopment, presented to Chicago City Council for zoning approval on September 24, 2015. Attached as Exhibit C.

⁷ See, for example, Joint Motion of June 19, 1998, to designate Revitalizing Area for total of 2,895 residential units in CHA's ABLA housing development, and to authorize development of public housing units therein, due to merits of overall redevelopment and total number of public housing units to be developed. The ABLA redevelopment is still underway today, with several phases completed and several yet to start.

304 F. Supp. 736, 737 (1969). CHA's position is that because the original Lathrop homes were built in 1938, none of the new units to be developed within facades retained for historic preservation purposes will be Dwelling Units "initially made available ... subsequent to the date" of the Order. (CHA letter to plaintiffs' counsel, October 12, 2016.)

In fact, however, the units to be developed within the retained historic facades are functionally brand new. The numbers of units in the historic buildings are to be changed from 620 to 530, floor plans and entire interiors are to be dramatically reconfigured, some side by side two-story townhouse units are to be converted to stacked walk-up flats, and whereas present floorplans range from one to three bedrooms the redeveloped units will be a mix of studios to four-bedroom apartments.⁸ As LCP has summarized, "Little historic integrity survives within Lathrop Homes' residential buildings. . . . Seventy-five years of use have severely compromised the integrity of the historic residential buildings' interiors and have removed almost all original finishes within the apartment units. . . ." ⁹ Plainly the changes proposed are not repairs or minor modifications to units that are to remain essentially as they were before. Indeed, some buildings will not even remain residential, for CHA and its developer are re-purposing one residential building into a property management center and another into a boathouse.¹⁰

These building and unit changes bespeak a near-total overhaul to convert Depression-era public housing units into apartments that meet the size, layout,

⁸ Exhibit B, p. 4; Exhibit A, p.3.

⁹ Julia C. Lathrop Homes Redevelopment Site Integrity Report (July 12, 2016). Attached as Exhibit D, p. 11.

¹⁰ Exhibit B, p. 4.

configuration, and other expectations of modern market renters. The units to be provided after redevelopment are therefore “Dwelling Units” under the Judgment Order whose numbers in “Phase 1A” alone necessitate a waiver of the Judgment Order's concentration provision.

IV. The CHA Tenant Selection and Assignment Plan Should be Amended to Afford Eligible Current and Former Lathrop Families Priority to the New Public Housing Units.

Because the public housing units authorized by the proposed order are to be used as replacement housing for current and former eligible Lathrop families under CHA's Plan for Transformation, plaintiffs seek to amend the current CHA Tenant Selection and Assignment Plan to provide that the public housing units to be developed on the Lathrop site be made available first to eligible current or former residents of Lathrop relocated under CHA Plan for Transformation who have not yet been afforded replacement housing, second, to eligible families from other CHA developments who have been relocated pursuant to the CHA Plan for Transformation, and thereafter to families on CHA's public housing waiting list. Similar amendments to the CHA Tenant Selection and Assignment Plan have been approved by this Court at various other CHA mixed-income sites used as replacement housing under CHA's Plan for Transformation.

(As of CHA's most recent quarterly report, the proposed Lathrop redevelopment will provide sufficient housing to accommodate all present Lathrop families and families temporarily relocated from Lathrop who wish to return, as well as all other families with a right of return who wish to live in the newly redeveloped Lathrop.)

V. Conclusion

For the reasons stated, the proposed Lathrop Homes redevelopment merits the Court's approval provided the issue of replacing the 524 "lost" Dwelling Units is satisfactorily addressed and provided the Court is willing to waive the concentration provision of the Judgment Order and appropriately amend the Tenant Selection and Assignment Plan.

Respectfully submitted,

/s/Julie Elena Brown
One of Plaintiffs' Counsel

Alexander Polikoff
Julie Elena Brown
Business and Professional People for the Public Interest
25 E. Washington Street, Suite 1515
Chicago, Illinois 60602

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. |) | |

PROPOSED ORDER

This matter coming to be heard on plaintiffs’ motion for an order authorizing the mixed-income redevelopment of the Julia C. Lathrop Homes Public Housing Project (Lathrop) of the defendant Chicago Housing Authority (CHA), waiving Par. IV. A of the Judgment Order with respect thereto, requiring replacement of 524 General Area Dwelling Units that are not otherwise to be replaced as a part of the proposed Lathrop redevelopment, and amending CHA’s Tenant Selection and Assignment Plan with respect to such redevelopment; and

The Court having been advised that the proposed redevelopment of Lathrop involves a reduction of 524 General Area Dwelling Units; and

The Court having considered the presentations of the parties respecting the proposed order, being cognizant that the principal remedial purpose of 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 (1969); and

EXHIBIT A

The Court being of the view, based on the presentations of the parties, that the proposal to develop 401 Dwelling Units in a mixed-income configuration on the Lathrop site is designed to achieve results consistent with the Judgement Order, provided that the 524 Lathrop Dwelling Units to be “lost” in such redevelopment are replaced in General and/or Opportunity Areas of the North Side of Chicago;

Now therefore, IT IS HEREBY ORDERED:

- A. Subject to the conditions set out below, CHA is hereby authorized to develop, or cause to be developed, 401 Dwelling Units in a mixed income redevelopment that includes approximately 494 market rate units and approximately 221 affordable units, all on the site of the Julia C. Lathrop Homes Public Housing Project, notwithstanding the prohibition on the concentration of Dwelling Units in Par. IV. A, 304 F. Supp. 736, 739, (1969) of this Court’s Judgment Order.
- B. The 401 Dwelling Units authorized in paragraph A of this Order are to be built and marketed roughly simultaneously with, and be and remain well dispersed among, the planned affordable and market rate units.
- C. As replacement for the 524 Lathrop Dwelling Units that will not be replaced on the Lathrop site under the redevelopment authorized in Paragraph A above, CHA shall develop, cause to be developed or acquire, 524 Dwelling Units (which may include project-based voucher units under contracts aggregating at least 20 years) in General and/or Opportunity Areas on the North Side of Chicago designated in the map attached hereto as Exhibit B, as such map may be modified from time to time upon agreement of the parties and further order of this Court. In the course of developing or acquiring such 524 replacement Dwelling Units,
 - a. CHA shall take all possible steps to develop, cause to be developed or acquire, such 524 replacement units, “all possible steps” to include, without limitation, seeking the

aid, if necessary, of this Court in overcoming any obstacles to the development of such 524 replacement units; and

- b. CHA shall report on such steps quarterly to plaintiffs' counsel beginning on March 1, 2017, and annually to the Court beginning on January 31, 2018, such reports to describe, with particularity, all steps taken and plans made to develop, cause to be developed or acquire, such 524 units, including a description of any barriers that CHA has encountered and steps taken or planned to overcome the same.

- D. The CHA Tenant Selection and Assignment Plan, originally approved by Order of this Court on November 24, 1969, and amended by subsequent orders, is hereby further amended to provide that the Dwelling Units authorized in paragraph A of this Order shall be made available first to eligible current or former residents of Lathrop relocated under the CHA Plan for Transformation who have not yet been afforded replacement housing, second, to eligible families from other CHA developments who have been relocated pursuant to the CHA Plan for Transformation, and thereafter to families on CHA's public housing waiting list.

Except as modified by this Order, the Judgment Order of July 1, 1969 shall remain in full force and effect, including without limitation that Order's restriction on the concentration of Dwelling Units.

Enter: _____
Judge, United States District Court

Dated: _____

OPPORTUNITY AREAS ON CHICAGO'S NORTH SIDE (NORTH OF MADISON ST.)

Madison Street

2012 CHA Opportunity Areas
(By Census Tract)

Opportunity Areas: Areas with less than 20% poverty and less than 5% CHA housing saturation or improving areas with moderate neighborhood indicators

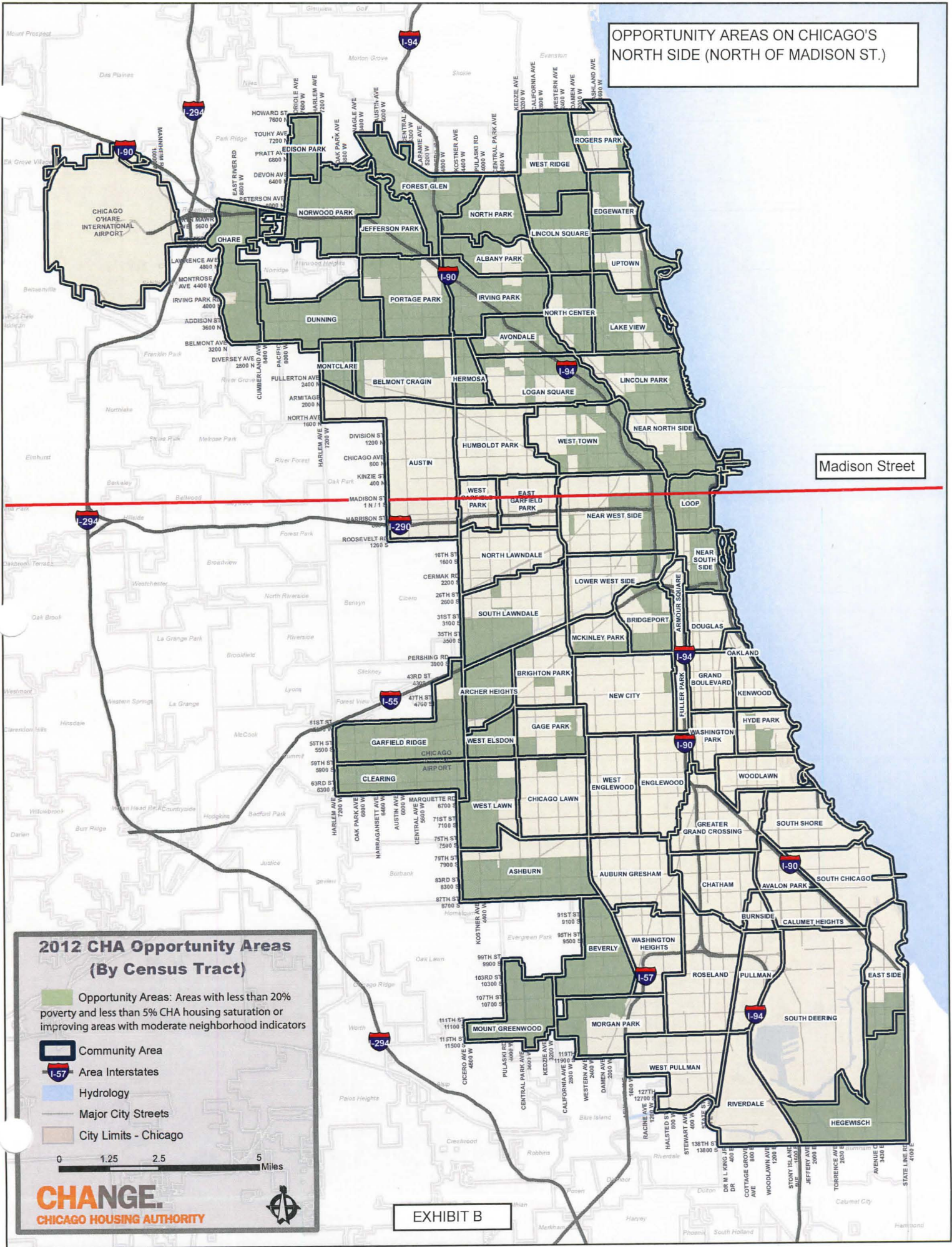
- Community Area
- Area Interstates
- Hydrology
- Major City Streets
- City Limits - Chicago

0 1.25 2.5 5 Miles

CHANGE.
CHICAGO HOUSING AUTHORITY



EXHIBIT B



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 List

PLEASE TAKE NOTICE that on Thursday, November 17, 2016, at 10:30 a.m., we shall appear before the Honorable Marvin E. Aspen, Judge of the United States District Court, and then and there present the attached Motion for Order Authorizing Mixed Income Redevelopment of Lathrop Homes, and Waiving Concentration Provision of Judgment Order with Respect Thereto, Requiring Replacement of General Area Dwelling Units Not Otherwise to be Replaced as Part of Such Redevelopment, and Modifying Tenant Selection and Assignment Plan; Memorandum in Support Thereof; and Proposed Order, a copy of which is hereby served upon you.

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

November 14, 2016

Alexander Polikoff
Julie Elena Brown
Business and Professional People
for the Public Interest
25 East Washington Street, Suite 1515
Chicago, IL 60614
(312) 641-5570

CERTIFICATE OF SERVICE

I, Julie Elena Brown, an attorney, certify that on November 14, 2016, I caused copies of the foregoing Notice and Motion to be served upon the persons whose names appear on the attached service list in the manner stated therein.

/s/ Julie Elena Brown
Julie Elena Brown

SERVICE LIST

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