

DATE: June 1, 2022

TO: Village of Oak Park Zoning Board of Appeals

FROM: The North Avenue District, Inc.

SUBJECT: Special use zoning for The Miranda Hall, 6435 North Avenue

The North Avenue District sadly but strongly opposes The Miranda Hall's special use zoning as a reception/banquet facility. We are an all-volunteer 501c3 non-profit organization of stakeholders—business/property owners and residents--working since 2013 to revitalize North Avenue from Austin to Harlem. This includes supporting the businesses of our district, which is probably the village's most diverse. An estimated 56% of our businesses are owned by people of color—half Black and half Asian or Latino. Our board is half Black as well. Our factsheet is attached.

Until this year, we've *always* supported zoning variances/special uses. But a reception/banquet hall in The Miranda Hall is not in the best interest of our district as a whole. That's our consistent decision standard. We hope that you will apply this same standard now.

We oppose this application because **our district in general--and 6435 North Avenue in particular--are inappropriate places for a reception hall, and because we have serious concerns about those who run it.**

Our entire district is no place for event venues. For this reason, **we'll try to get this use rezoned as non-permitted**, as it is elsewhere Oak Park. We could support **banquet halls that are stand-alone structures with ample parking—the Chicago-area norm.** (See attached photos of Royal Garden Banquet, 2515 N. Harlem, Chicago.) **But in our district, there's no room for such a venue.** Parking is very limited. Lots are shallow. Most commercial structures share walls. Residential areas are right across an alley with no--or almost no—buffer. This is relevant because **banquet halls in our district are public nuisances.**¹It's worth noting that 29th Ward Alderman Taliaferro has introduced an ordinance to deal with banquet hall issues. It would make unlicensed banquet halls illegal, among other things.

6435 North Avenue is no exception in this regard. (Photos are attached by way of illustration.)

- It **shares walls** with two office buildings.
- With only 11 parking spaces--most of which are used by employees and customers, even after 5 pm—it has **almost no parking for event attendees. Double-parked cars during events are evidence that parking is inadequate. Miranda Hall's owners have proposed to reserve just three spaces for event attendees. While this meets Village code, it means there will be only one space for every 16 attendees at the maximum permitted capacity of 49. This is clearly insufficient.**
- It's **directly across an alley from a residential area**, with only the small parking area as a buffer.

¹ We've had partygoers littering, playing loud music on car radios with windows open, noisily returning to their cars under the influence, urinating in gardens, and sometimes getting into fights. Miranda Hall has been a public nuisance for several of these reasons.

- This configuration makes it **inevitable that** commercial and residential **neighbors** will be **disturbed** by loud music and litter, **and** that there will be **significant parking conflicts**.
- We contacted the 16 **residents** living closest to Miranda Hall and heard back from seven. Six **complained of loud music and trash/litter** in their front yards—including liquor bottles and beer cans. One resident found many empty beer bottles in his trash can after the weekend of 3/25, when there was a Miranda Hall party. The **owner of the building next door—Marcelo Nicosia--has shared his complaints in this regard separately.**

Staff has noted the limited parking and proximity to residents in its report to you.

Please understand that we're glad this long-vacant property is occupied. We appreciate how it's been remodeled. Despite our concerns about the site's appropriateness, **we probably would go along with The Miranda Hall's special use zoning for a trial period subject to conditions, if we believed these conditions would be honored. Unfortunately, we just don't believe that they will be. We did some research to decide whether to take this position. And if they're not, it will take considerable Village time and resources before The Miranda Hall can be made to cease operations.** In the meantime, commercial and residential neighbors will continue contending with a public nuisance. **Doesn't it make sense to prevent a future public nuisance now?**

We have **good reasons not to trust those responsible for The Miranda Hall** to run a good operation.

- **Most important is their behavior.** They did not apply for special use zoning until the Village directed them to do so. It **took them weeks to take down** Miranda Hall's **Facebook page** after the Village told them to do so, until Ms. Gray was informed. **They also rented to a large party** the last weekend in March, though told not to do so. There was another large party on May 28th. Mr. Nicosia has documented continuing problems with overflowing dumpsters, even after he discussed the issue with Mrs. Gray. **They should have been especially motivated to be on best behavior while awaiting this hearing. If they didn't comply then, how can we expect them to do so after they receive special use zoning?**
- As part of our research, we toured the building on March 23rd and met with two board members and the manager. **They told us that they always supervise parties**, both within the facility and in front/behind the building. **But this seems very unlikely. According to neighbors, there have been large, loud crowds in their parking area, drinking alcohol and smoking both tobacco and cannabis.**
- **They told us they're happy with Miranda Hall's current 49-person capacity, but this was untrue. Their special use application calls for occupancy of less than 100 (not 50) people.² The issue here is a false statement by those representing Mrs. Gray.**
- Their application says they just want to offer the space to the community for small gatherings. But **they told us that they're trying to recover remodeling costs with Miranda Hall rentals. They already have rented the space for loud, raucous parties. (It has not been run as an alcohol-free**

² According to the fire marshal, its inward-opening doors were permissible for that capacity. **But they changed the doors to open out—as required for increased capacity.**

venue, by the way. Alcohol was featured in photographs on Miranda Hall's Facebook page.) And if they want only to accommodate small gatherings, why did they seek increased capacity?

- Their application says the building currently adheres to strict safety protocols. But their dumpster frequently overflows with garbage that attracts rodents and insects.
- There are two other reasons for concern. First, we still don't know who owns the property. There are five possibilities. The application itself mentions: Trust #1869, Chetranda Gray (who signed as owner), and the Michael Gray Foundation (listed as owner on the architect's drawings). An April 8th building permit lists Deangeles Co. Gale Oak as the owner. (See attached.) Property tax bills are going to 6441 Oak Park, Inc.³
- We're also concerned about the Michael Gray Foundation of Dreams, which we were told is running The Miranda Hall. There are apparently **no independent board members**. This is permitted but frowned upon by the IRS. And there are **reasons to think that they may have misrepresented who they are**:
 - When we asked about their primary mission, they said it was daycare after some hesitation. But daycare services are not mentioned on the Foundation website: <https://www.michaelgrayfoundationofdreams.org/>. The November 2020 business license application for the building's daycare center states that it is a for-profit corporation. The Foundation's business license application mentions as its services only life skill classes, a meeting room and a computer room.
 - They said they mentor at-risk youth in Lawndale. But there is **no space for such services at 2800 W. Roosevelt**--the address listed as **their headquarters**. Their website states they mentor delinquent youth. A contact queried **eight attorneys who serve in Cook County's Delinquency Court**. So far, **all say they've never heard of MGF**.
 - When a retiring social worker sent an **email inquiry about volunteering**, **no one responded**.
 - Therefore, **the Foundation's website is soliciting donations to support services they apparently do not provide. This is unethical**. If it has not yet been able to update the website, it **should be taken down until updated**.

Real estate professionals bought and remodeled the 6435-6441 North Avenue building. They knew--or should have known--that banquet/reception halls are a special use in our district. None of the building permits issued for this property include this use. If you approve special use zoning now, you essentially reward this omission.⁴

³ See page two of most recent tax bill.

<https://reportingservices.cookcountytreasurer.com/electronic-taxbills/view-property-taxbill.aspx?pin=e84/ZP4ib8oDv6PNFvmcw==&taxyear=p7R7JFvx7IA=&installment=59nnfvD/udk=&billtype=HOE9o+YIPZo=>

⁴Mark Santoyo's 6441 Oak Park, Inc. purchased the building. He had apparently partnered with George Deangeles by March 2018. Both his company and Deangeles Co. Gale Oak are listed as owners on a 3/18 building permit. Deangeles Co. has been listed as the owner on permits since that time. Santoyo is a real estate professional: <https://www.thesantoyogroup.com/>. So is George Deangeles. He's been involved in some 30 local real estate transactions: http://www.ccrecorder.org/recordings/show/idx_name/-836520/

Despite ample justification for denying this special use application, we understand that you may choose to do so. In that case, **please** do so in a way that minimizes the likely damage. **Limit approval to more no more than one year and make it subject to reasonable conditions.** We have prepared a **list of recommended stipulations**, which are **attached**. They **include the stipulations** that **we thank staff for recommending**. **Hold them to their promises regarding noise and waste management.** **Those that you cannot legally require could be the basis for a community agreement** with The North Avenue District. Should you approve their application, **we hope you will encourage Miranda Hall's owners to enter into such an agreement, and to let them know you will be reviewing complaints when considering whether to extend the special use.**

Thank you for your consideration,

Judith Alexander, Chair,
The North Avenue District, Inc.



East view, 6435-6441 North



West view



Rear east view



Rear west view

Photos of Royal Garden Banquets, 2515 N. Harlem, Chicago



Front view, parking lot on left



Royal Garden parking lot across the street

RESPONSE TO MIRANDA HALL'S REBUTTAL

Now I'd like to take a few minutes to respond to Miranda Hall's rebuttal. It was prepared by or with the advice of a California consultant. We spoke on May 24th. Unfortunately, she misrepresented what I said. She apparently believes that the best defense is a good offense. Because I feel that the credibility of The North Avenue District and myself are under attack, I want to set the record straight.

The North Avenue District strives to be scrupulously fair. As evidence, consider that the neighbors who wrote a supportive email did so because I encouraged them to do so, as you can see in the first email in the series.

Far from being NIMBYs, we undertook research in the spirit of due diligence to determine whether to support Miranda Hall's special use application with conditions. This included a site visit by two District board members and me. Mrs. Gray did not attend. We naturally assumed that her three representatives at this meeting were authorized to speak on her behalf. There was no reason to doubt what they told us or double-check it with Mrs. Gray.

I never said I didn't have time to talk to Mrs. Gray. I said I don't have time to welcome every new business in our district. I tend to stop by new storefront businesses that I notice, including Mrs. Gray's daycare center.

I actually had a polite conversation with Mrs. Gray when she called me a few weeks ago. I asked her about the Foundation's work and offered to help promote the daycare center, as we do for many other businesses in our district.

The rebuttal states that we are NIMBYs on the one hand and that we tolerate unlicensed event venues on the other—a logical contradiction. Neither is true. We generally become aware of unlicensed venues when we receive complaints and then report the situation to the Village, which in turn contacts the business. That's what happened with Miranda Hall. It submitted its special use application only after directed to do so.

Our research consisted mainly of internet searches. But when we had reason to question how the Foundation represents itself on its website, we asked exactly one juvenile court attorney if he was familiar with the Foundation. He, in turn, queried his colleagues. I visited Miranda Hall only twice to check out complaints for myself in the spirit of fairness.

I hope this information reassures you that we took the decision of whether to support Miranda Hall's special use application very seriously and did all that we could to arrive at the best decision we could.

Thank you for your consideration.

SUGGESTED STIPULATIONS FOR MIRANDA HALL, IF SPECIAL USE ZONING IS APPROVED BY THE ZBA

- Hours of operation-Events end at or before 10 pm
- Alcohol/food-No alcohol to be served without food and without a (caterer/bartender) liquor license
- Confine activities to the venue itself - Private Property
- Keep sidewalks/entrances clear of ice/snow, broken glass, and debris/litter
- Secure parking for any events, including daytime events (meetings, classes, etc.). One for every two attendees; 24 spaces at current capacity. Spaces currently used by tenants or their customers do not count toward this total.
- Enforce 49-person maximum permitted occupancy.
- Maximum capacity must remain at 49 persons.
- Move dumpster to the center of the parking lot behind the property to minimize impact on children's playgrounds at Learning Oak and Wonder Works. Dumpsters must be emptied promptly whenever overflowing. Garbage must not be deposited into the dumpsters of neighboring buildings.
- Staffing to supervise events and a security guard if alcohol is served. This includes supervising event attendees gathered in front of/behind the building.
- Valid business license
- Insurance-Business Property and Business Liability Insurance with minimum Illinois state allowances or higher. Event insurance for all events serving alcohol.
- Neither commit nor allow any nuisance, noise, or waste to annoy, disturb, or be offensive to other businesses or residences.

My name is Marcelo Nicosia, owner/manager of the Rossell Building located at 6429 West North Ave. This is a two-story professional building with 15 office suites located just north of a residential area. We are just west of 6435 W. North Avenue, with which we share a wall.

From day one we understood to respect our neighbor's homes and businesses and minimize the burden and traffic we cause with our commerce. We instruct all our tenants where they are allowed to park, and where to dispose of garbage. We also tell them to inform their clients and guests as well. So far we never had any complaints from our neighbors and make sure to keep it this way.

We all want our businesses to succeed and always will be in favor of new commerce to develop, particularly in our neglected areas. However, you must be selective on the types of activities you approve of and the impact these bring to all the neighbors and businesses.

I am writing to request that you deny The Miranda Hall's application for special use zoning as a reception/banquet hall.

The owners of the Miranda Hall do not try to be good neighbors, showing no regard for the mess they are causing to the neighbors with their endeavors. It seems that they only care about themselves.

This letter is to bring to your notice that on regular basis I'm a witness to the chaos that takes place due to the several party events occurring right next door to our building that are not only creating inconveniences to our tenants and neighbors but also affecting our private property and surroundings.

I've noticed that parties have been held at this location for at least three years. Even throughout the pandemic, when indoor gatherings were not allowed.

The Board should not be misled to believe that this banquet hall will primarily be used for private family functions such as children's birthdays. As I have witnessed many of the parties held so far were not family-oriented events. They were bachelor-type parties, including alcohol, very loud music, and annoyances caused by unruly guests. These events seemed more like a rowdy nightclub.

At times the events end up at the parking lot and alley, where party guests loiter in their cars, blasting music, drinking, smoking, eating, yelling, and even urinating and littering by the nearby fences. Sometimes these parties continue after closing time because there is no one to clear the premises. I've never seen a manager, or a security officer controlling the crowd.

Keep in mind that the Miranda Hall building holds only 11 private parking places to be shared with its tenants, staff, and customers. With businesses like Wonderworks, Edward Jones, Learning Oak, Bolsen Clinic, and the many other business properties on this block, street parking is already extremely limited at any time of the day without a church or banquet hall in operation.

During the events, there is a complete mess in the streets as there is no parking available. Vehicles are double-parked, placed in adjacent private parking lots, or parked in the residential area.

Here are some of the nuisances from parties at The Miranda Hall.

- We have tenants who work until late hours and due to such a chaotic and disturbing environment, they are unable to concentrate on their work. Loud music and banging can be heard through the shared wall.
- People drink in the open public and become loud as they pass comments on the people leaving our building. One time, I had to escort a tenant to her car because of people loitering around it, drinking, smoking pot, and being loud and vulgar.
- I was personally harassed when requested a few guests to move their cars and leave our premises.
- Guests stay drinking, eating, smoking, and blasting music out of their cars, even after the party is over.
- On several occasions, I had to pressure wash and sanitize the playground fence cover and turf because it has a strong urine smell.
- In several cases, we found broken glass scattered in our parking lot and alley. We had found a few broken bottles of liquor inside the Learning Oak Early Childhood Development Center playground, along with garbage bags, cigarette butts, and beer cans that were thrown over the fence.
- Most of the time, the bin is overflowing with catering leftovers, aluminum trays with food, plastic cups, disposables, diapers, etc. The bin lid is usually open, so rubbish flies all over the alley, parking lot, playground, and everyone's lawn. We constantly find many paper plates with food leftovers on the parking lot ground. Many are being blown by the wind into the neighbor's bushes as well.
- The dumpster was purposely relocated right next to Learning Oak's playground gate proximity and the children can smell it. Somedays the Center's playground cannot be used because of the strong odor.
- Many times, I come into work on Monday morning and see that our bin is in the same condition because the party hall customers or the owners had taken the liberty to fill our dumpster too. Apparently, their dumpster didn't have room for the garbage and they didn't want to pay for another pickup.
- We had to call our recycling company to make an extra pickup three different times because we had no room for our tenants to dispose of their garbage. This caused an inconvenience and extra costs.
- We see an increasing number of critters jumping in and out of their dumpster because it's overflowing.
- We've also noticed more insects and rodents coming by our building because they're attracted by the dispersed food/waste laying in the parking lot and having an open dumpster.
- In two cases, we found a great deal of metallic confetti and talc spread all over the parking lot and stuck into the daycare's playground turf. It took hours to clean up. The Center's children were picking them up and placing them in their mouths. This came from party balloons filled with this confetti and then popped at the parking lot.

When you mix alcohol with unsupervised people, you'll get disturbances and things can get out of control. It's bound to happen and someone needs to be held responsible for this.

The principals of The Miranda Hall show a pattern of conducting activities without any permission or regard. They are well aware of the troubles their events are causing to the neighbors, but haven't shown any respect for any of us nor come up with any resolutions to control and clean up their patrons' mess. They haven't done so far and there is no reason to think they ever will. Please deny their special use application.

Please let me know if you have any questions.

Thank you for your consideration. Sincerely yours.

Marcelo Nicosia, Rossell LLC.

Bruce, Michael

From: Faith Varga <faithannv07@gmail.com>
Sent: Wednesday, April 27, 2022 3:23 PM
To: Bruce, Michael
Subject: Statement to the Zoning Board of appeals

Follow Up Flag: Follow up
Flag Status: Flagged

<p>WARNING- EXTERNAL EMAIL: If unknown sender, do not click links/attachments. Never give out your user ID or password.</p>

Dear Mr Bruce:

Please include this statement in the information packet for ZBA members. Please also acknowledge your receipt of this message.

Thank you ,
Faith Varga

Dear ZBA:

My name is Faith Varga. I have lived in my home on the 1200 block of Elmwood for 28 years.

There was a big party at 6435 North Avenue on the last weekend in March. I noticed that something was going on because I saw many people standing outside behind the building and a number of cars double and triple parked.

The next day, there was a lot of trash on my lawn including a beer can.

I also saw cars double-parked in the early afternoon on a recent weekday they must have had a daytime event of some kind. I took some photos, one of which I am sharing with you.

I ask that the ZBA deny Miranda Hall's special use zoning application. Miranda Hall is a nuisance to me and my neighbors.

Thank You for your consideration.

Sincerely,
Faith Varga

Sent from my iPhone