

835 Lake Street Development

September 24, 2020

Dear Bob,

Thank you for sending us your letter dated September 18, 2020. We appreciate the Courtland Condominium Association member's time and effort that lead to the 14 requested Items. Our response is listed below item by item as your letter outlines.

a. Increase the side yard setbacks

The required setback is 10 feet by zoning ordinance. We agree to redesign our building so that the setback from building to building as defined by the zoning ordinance will be increased to 10 feet.

This makes our proposed building compliant with respect to this zoning requirement. Please see the attached chart from the Zoning Ordinance.

It is noteworthy to point out that the living areas on the proposed building that face the Courtland Building from floors 2 through 6 have a face to face dimension of 33 feet and where the face of the proposed building to our property line is 25 feet.

b. Stop water drainage toward our building.

The design Team's Civil Engineer will ensure that the design and construction of the building will meet all of Oak Park engineering department's requirements and Cook County's Metropolitan Water Reclamation District permit requirements for storm water management.

c. Security and privacy in the passageway.

As the Association requests, the developer agrees to place security lights that are mounted to the proposed building and shine downward and cameras along the passageway between the two buildings. The cameras will capture only video. Please note that since the passageway is located on the Developer' site, its use will be governed by an easement agreement granted to the Courtland Condominium Association.

d. Detail in the passageway.

As the Association requests, the developer agrees to install high quality fences and gates at the north and south ends of the passage between the two buildings. The gates will have digital access locks. Please note that it is important that both Fire and Police department officials approve the fences and gates.

The Developer is not opposed to the inclusion of a small mosaic in the passageway on the wall of the proposed building. However, since we are engaged with the Oak Park Arts Council on the arts component of the development, we will need to discuss the details further.

e. Venting of the building.

The architect has advised that there may be a passive air intake on the wall of the proposed building in the passageway. This intake does not have a fan or motor. All of the exhaust from the parking area will be discharged to the alley. All of this work will be compliant with the Village's building codes.

f. Character of the building.

Our design team lead by Space Architects has been working with Wight and Company, the Village's design consultant for Plan Development projects. We believe we have arrived at a design that has been well received by most parties impacted. Moreover, the proposed design has been through numerous reviews and there is no desire on Wight and Company's nor ours to revisit the design. Therefore, we believe that the design of the building should remain as submitted.

g. North elevation of the building.

As with the previous Item, the design Team has been working with Wight and Company on the exterior design of the building.

We believe that the location of the work out center is in the best location for residents and neighbors.

Also, the inclusion and location of the Bank's ATM was a condition of the land purchase and is not in the developer's control.

h. Parking.

As the Association requests, the Developer will provide 6 parking spaces for the use of the residents of the Courtland Condominium Building at no cost. These spaces will be in the parking lot known as Lot 96. Please note that, like the passageway, the use of the parking spaces will be governed by an easement agreement to be granted to the Courtland Condominium Association.

i. Our front lawn.

The Developer's management team is committed to working with its residents so that they use the newly added dog run at the southwest corner of our property and that they respect neighboring properties while walking their pets. The developer has a strict policy for dog waste management that tenants must follow and fines are incurred for not abiding by the policy. The outdoor security cameras help monitor tenants' dog practices.

j. Pre-construction inspection.

The developer and builder will follow the Village's protocol regarding pre-construction inspections and documentation.

As the Association requests, the Developer will provide \$5,000 for plant refurbishment after construction is completed.

k. Vibration monitoring.

The developer agrees to perform vibration monitoring at the Courtland Condominium Building during construction.

l. Dust/ dirt removal and abatement during construction.

As the Association requests, the developer agrees to publish a plan for dust abatement and dust removal during construction.

m. Insurance

As the Association requests, the developer agrees to add the Courtland Condominium Association as an additionally insured on the Contractor's liability policy.

n. Contact information.

The developer agrees to supply the Courtland Condominium Association with the name and contact information of an onsite person if issues arise during construction.

As you can imagine there are interrelationships between items. Therefore, even though we addressed items individually, we prepared our response to the Association's letter holistically.

And finally, you know that we are at the beginning stages of the Planned Development process. As such, various governmental commissions and Boards will be reviewing our application. In the event that any of these bodies' recommendations conflicts with our responses listed above, we reserve the right to adjust our responses with the Courtland Condominium Association accordingly.

Again, thank you for coordinating this process with your neighbors. We look forward to reviewing our response with your neighbors.

Sincerely,

Tom Meador
President & CEO
1259 West Madison Street
Chicago, IL 60607

Table 4-1: Residential Districts Dimensional Standards				
Residential Districts	R-4	R-5	R-6	R-7
Bulk Standards				
Minimum Lot Area	SF: 3,500 sq.ft. Non-Residential: 10,000 sq.ft. Park/Playground: None	SF: 3,500 sq.ft. 2F: 5,000 sq.ft. Non-Residential: 10,000 sq.ft. Park/Playground: None	SF: 3,500 sq.ft. 2F: 5,000 sq.ft. TH & MF: 5,000 sq.ft. + 900 sq.ft. for each du after first 2 du Non-Residential: 10,000 sq.ft. Park/Playground: None	SF: 3,500 sq.ft. 2F: 5,000 sq.ft. TH & MF: 5,000 sq.ft. + 700 sq.ft. for each du after first 2 du Non-Residential: 10,000 sq.ft. Park/Playground: None
Minimum Lot Width	30' Non-Residential: 50' Park/Playground: None	SF: 35' 2F: 50' Non-Residential: 50' Park/Playground: None	SF: 35' 2F: 50' TH & MF: 60' Non-Residential: 50' Park/Playground: None	SF: 35' 2F, TH & MF: 50' Non-Residential: 50' Park/Playground: None
Maximum Building Height	30' Non-Residential: 30' but may go to 45' if building set back 1 additional foot from each required setback for each additional 2 feet of building height above 30'	35' Non-Residential: 35' but may go to 45' if building set back 1 additional foot from each required setback for each additional 2 feet of building height above 35'	35' Non-Residential: 35' but may go to 45' if building set back 1 additional foot from each required setback for each additional 2 feet of building height above 35'	45' Non-Residential: 45' but may go to 55' if building set back 1 additional foot from each required setback for each additional 2 feet of building height above 45'
Maximum Building Coverage	60%	SF: 40% 2F: 50%	SF: 40% 2F: 50% TH & MF: 60%	SF: 40% 2F: 50% TH & MF: 70%
Maximum Impervious Surface	60% Non-Residential: 70%	SF: 65% 2F: 70% Non-Residential: 70%	SF: 65% 2F: 70% TH & MF: 75% Non-Residential: 75%	SF: 65% 2F: 70% TH & MF: 80% Non-Residential: 80%
Required Setbacks				
Minimum Front Setback	20' or average of front setback of abutting structures In no event shall this regulation require a front yard of more than 50'	20' or average of front setback of abutting structures In no event shall this regulation require a front yard of more than 50'	20'	15'
Minimum Interior Side Setback	5'	5'	Lots 50' or less in width: 5' Lots greater than 50' in width: 10% of lot width, or 10', whichever is less	Lots 50' or less in width: 5' Lots greater than 50' in width: 10% of lot width, or 10', whichever is less
Minimum Corner Side Setback	8' Required corner side setback may be reduced to maintain a buildable width of 30', but in no case may be less than 5'	8' Required corner side setback may be reduced to maintain a buildable width of 30', but in no case may be less than 5'	Lots 50' or less in width: 8' Lots greater than 50' in width: 15% of lot width, or 15', whichever is less Required corner side setback may be reduced to maintain a buildable width of 25', but in no case may be less than 5'	Lots 50' or less in width: 8' Lots greater than 50' in width: 15% of lot width, or 15', whichever is less Required corner side setback may be reduced to maintain a buildable width of 25', but in no case may be less than 5'
Minimum Reverse Corner Side Setback - SF & 2F Only	8', or ½ of the sum of 8' plus the existing front setback of the lot whose front lot line is substantially a continuation of the reverse corner side lot line, whichever is greater Required reverse corner side setback may be reduced to maintain a buildable width of 30', but in no case may be less than 5'	8', or ½ of the sum of 8' plus the existing front setback of the lot whose front lot line is substantially a continuation of the reverse corner side lot line, whichever is greater Required reverse corner side setback may be reduced to maintain a buildable width of 30', but in no case may be less than 5'	8', or ½ of the sum of 8' plus the existing front setback of the lot whose front lot line is substantially a continuation of the reverse corner side lot line, whichever is greater Required reverse corner side setback may be reduced to maintain a buildable width of 25', but in no case may be less than 5'	8', or ½ of the sum of 8' plus the existing front setback of the lot whose front lot line is substantially a continuation of the reverse corner side lot line, whichever is greater Required reverse corner side setback may be reduced to maintain a buildable width of 25', but in no case may be less than 5'
Minimum Rear Setback	25' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less

THE COURTLAND CONDOMINIUM ASSOCIATION

813 - 825 Lake Street
Oak Park, IL 60301

September 18, 2020

Mr. John Schiess
JCSA
7706 Central Avenue
River Forest, IL 60305

Dear Mr. Schiess,

We have known for some time that the Village of Oak Park has wanted to develop the bank lot next to us, and we were relieved to hear a six-story building would be proposed instead of the one proposed two years ago with 28 stories. However, we have some questions and issues with the preliminary plan for the property. The purpose of this letter is to give you a more concise picture of the Courtland's position regarding your proposal.

First, it is hard to imagine living with the currently proposed side-yard setback. If the new building will be 6 ½ feet from our building at one point with an average distance of 7 ½ feet, the owners in the 23 condo units facing west will not only lose their sunlight and their view, but they will be facing a looming building at very close quarters.

Second, and tied to the first concern, is privacy because of the distance between our porches and the balconies that will be built for the units directly across from us. If we find looking directly at a wall seven feet away to be unappealing, attempting to enjoy time on our porches would add insult to injury. The close proximity would likely be just as unappealing to residents who rent in the new building. We suggest that recessed balconies be built to give a little more space between your balconies and our porches.

Here are other issues, many of which were discussed at the Zoom meeting on August 26, 2020, between neighbors of the proposed 835 Lake Street site and development team members:

- a. Increase the side yard setback. We would like to see a minimum of 15' on the side yard setback. Would orienting the apartments east to west rather than north to south provide 15'? Would reconfiguring parking inside the building provide the space we want? We would also like to see the north end of the pathway the same width as the wider south end.
- b. Stop water drainage toward our building. There is a difference in grade between the bank property and our property line. Currently the sidewalk on the bank property is higher than the sidewalk that runs beneath our porches. In heavy rains, water drains toward our building and has been known to run into the garden units and into our basement level storage areas. We have installed a drain to the storm sewer in our sidewalk and placed wooden mud barriers on the lawn. These solutions provide

protection today, but would be insufficient during and after your building's construction. We would like assurance that the new passageway will be on the same grade as our sidewalk and that a drainage system will be installed to prevent flooding on our property. Perhaps permeable pavers in your passageway would assist in drainage.

- c. Security and privacy in the passageway. We want to feel safe within our homes, on our porches, and when we walk outside to access our laundry room, storage areas, and community room. We also want our personal property and privacy to be respected. Your preliminary plan included a pathway which funnels the public extremely close to our building. Your team mentioned that lighting and security cameras would be installed, which we support. Lighting should be sufficient in the pathway, directed downward, so as not to shine into windows. Cameras should be installed so they view only the sidewalk between the buildings, not porches. Cameras should be visual only, no audio.
- d. Detail in the passageway: We suggest the passageway be made attractive, similar to the one at the Albion building at Lake and Forest. Perhaps you could install a mosaic on the wall facing our building. This would make it more pleasant for your residents as well as others, pay homage to the Oak Park arts and cultural scene and add cachet to your building. Since our initial conversation with you, the Oak Park police sent an officer to our building to consult with us onsite. The officer suggested some potential approaches to fencing off the area, including gated fences on both the north and south ends of the buildings. This would prohibit the general public from entering the area. It would be good if digital locks are installed on the gates, so the code could be shared with the police and fire departments. We request that you install high-quality, attractive fencing that protects us and our property and preserves the engaging character of the building and neighborhood.
- e. Venting of the parking garage. We would like assurance that the garage will vent up and away, rather than toward our building.
- f. Character of the building. We are concerned with the color and material used in the building. You said it was a nod to Unity Temple, but we would like to see it nod more toward the neighbors on each side of it. We suggest you use the same proportion of red brick and tan stucco similar to our building and the building west of the parking lot. We believe that a more harmonious treatment would enhance the block, and thereby, better respect the unique character of Unity Temple. It would be better to complement the temple than to make a pale attempt to mimic it.
- g. North elevation of the building. The front of the building could have a grander entrance than a health club and an ATM. The workout room does not seem appropriate to the neighborhood. Might it possibly be moved to a different part of the building, or at least not have see-through glass. The bank's ATM sign also does not seem appropriate. Maybe there could be a small sign painted on the window instead of a large sign as it appears in the rendering.
- h. Parking. You indicated that you could make space available in what is currently Lot 96 for Courtland owners with special needs to park their cars. We could use six spots for handicapped owners and elderly owners who will find it a hardship to park in a distant lot.

- i. Our front lawn and dogs. Can you work with us to develop an effective and enforceable way to ensure that tenants of the new building do not use our front lawn as a dog park? We also would request that you ensure that the tenants do not use the area between your building and ours for that purpose.
- j. Pre-construction inspection. We request that you pay for an engineering study, including before-construction photos of the outside of our building, interior common element space and inside owner units. We would also request that the impact of shade on our courtyard plantings be determined and that we be compensated for any impact.
- k. Vibration monitoring. We would like you to provide this for our building, along with the means for us to review the readings.
- l. Dust/dirt removal and abatement during construction. You mentioned you would periodically clean porches and windows. We would like to see a barrier of some sort to stop the problem at the source and keep our property as clean as possible during construction. Please understand we live in a vintage building without central air conditioning. Construction would be happening during warmer months when we would have our windows open, or we would be forced to keep them closed and pay astronomical electric bills.
- m. Insurance. We would like you to provide us with a certificate of insurance, and name us as additional insured.
- n. Contact information. Please provide us with the name and contact information for a person onsite who we can reach directly if issues arise during construction.

Our neighborhood is in the Ridgeland-Oak Park Historic District and in the Hemingway District. Many of us feel strongly that this area of Oak Park is architecturally significant, and we are concerned about the design of the building and the materials that will be used. Additionally, there are quality-of-life concerns such as the loss of parking for many of us, the loss of a large elm tree (in all probability dating back to our building's construction in 1915) that brought enjoyment, as well as the loss of sunlight (especially in winter). These concerns were discussed at your prior presentation and will need to be addressed further in the future.

We believe that by acting on our concerns, you have the opportunity to demonstrate sensitive development that will make this project a showcase for your firm. We look forward to seeing your revised proposal – and to an ongoing neighborly relationship as you join us in the heart of Oak Park.

On behalf of the Courtland owners,



Robert A. Moser
President

Cc: Tom Meador, President and CEO
Michigan Avenue Real Estate Group

Sent via email attachment and U.S. Mail

835 Lake Street Development

October 22, 2020

Dear Bob,

Thank you for sending us the HOA letter dated September 29, 2020. I am glad that we are close to alignment on most of the Items. Our response ,again, is listed below item by item as your letter outlines.

a. Increase the side yard setbacks

After supplying some drawings that clarify the building to building separations along the east property line, I believe that we are in agreement on this Item. Our Application to the Village shows that we are not seeking any relief from the zoning requirement for the side yard setback to the east.

b. Stop water drainage toward our building.

The details of the stormwater management in the east property line will be worked out between the Developer's Civil Engineer, the Village Engineer and their consultants. Whatever the agreed upon method, our commitment is clear – no stormwater from our site will drain onto the Courtland property.

c. Security and privacy in the passageway.

As the Association requests, the developer agrees to provide an easement agreement for the benefit of the Courtland Condominium HOA for resident access, building maintenance and other related activities. This document will be supplied to the HOA for review after the Development's Approval.

d. Detail in the passageway.

Agreed. We are looking forward to working with the HOA on the details in the passageway.

e. Venting of the building.

The building wall on the first floor of the passageway will be solid with the exception of a few passive intake vents that are required by building codes.

f. Character of the building.

As you know, we have asked our design team which includes the architect and rendering consultant to draw up some options for the color palette. We are in the process of supplying those to the HOA.

g. North elevation of the building.

Agreed. Thank you for your understanding.

h. Parking.

We will locate the parking spaces along the east side of Lot 96. Additionally, we will allocate 8 standard spaces for the benefit of the HOA to be striped and utilized per your discretion. The exact location of these spaces will need to be determined at a point after approval since we are also allocating spaces for other neighbors.

i. Our front lawn.

Agreed. Thanks for the compliment.

j. Pre-construction inspection.

I would recommend that the HOA reach out to Mr. Steve Cutaia, the Chief Building Official for the Village of Oak Park. He is very helpful and can supply the details. His email contact is: scutaia@oak-park.us

k. Vibration monitoring.

Agreed. The Developer will provide the HOA with access to the readings upon request.

l. Dust/ dirt removal and abatement during construction.

The construction process may require more frequent cleanings depending on the stage of construction. Additionally, the frequency of cleaning will be affected by weather. After approval, the developer, with the help of the construction team, will supply the HOA a schedule of cleaning that all can agree on.

m. Insurance

The insurance policy includes liability coverage that covers property damage.

n. Contact information.

The developer agrees to set up a website to provide updates and information for the benefit of interested neighbors. The website will also include a contact link to the construction team and to the developer's representative.

Again, thank you for coordinating this process with your neighbors. We look forward to reviewing your support letter.

Sincerely,

Tom Meador
President & CEO
1259 West Madison Street
Chicago, IL 60607

THE COURTLAND CONDOMINIUM ASSOCIATION

813 - 825 Lake Street
Oak Park, IL 60301

September 29, 2020

Tom Meador, President and CEO
Michigan Avenue Real Estate Group

Dear Tom,

Thanks for your response to my September 18 letter with the list of our concerns.

Our group had a Zoom meeting after receiving your letter, and following is the result of our discussion.

a) Increase the side yard setbacks.

Although we would like your building to be a little farther away from ours, we are happy to hear you will not be seeking a variance on the zoning ordinance for the side setback. However, could you send a top-view drawing with dimensions showing the distance from our property line to the wall of your building, as well as the distance between your balconies and our porches, so we can visualize how the end product will look?

We need clarification on the living areas. When you say floors 2 through 6 have a face to face dimension of 32 feet, are you saying it is 32 feet from the wall behind your balconies to the wall behind our porches? Could you help us understand the meaning of that last sentence? A drawing with measurements would be helpful here, too.

b) Stop water drainage toward our building.

We have no doubt you will follow Oak Park and Cook County building codes, but we are interested specifically in how you will solve our existing problem. Will the grade of the bank lot be brought down, will you install a French drain, will you install a drain that ties into the storm sewer, or are you planning a different solution?

c) Security and privacy in the passageway.

You said you will provide lighting and security cameras, including the details we mentioned in the first letter. You will also enter into an easement agreement with us regarding the passageway. We will have maintenance issues such as, tuckpointing, painting porches and replacing windows, and both your company and our association will want to address how the passageway will be used. Do you have the easement language that we could review?

d) Detail in the passageway.

It was good to see that you will install high-quality fences and gates, with digital access locks, at the north and south ends of the buildings. We understand that both Fire and Police must approve. Also, we are looking forward to talking with you more about art in the passageway.

e) Venting of the parking garage.

We were glad to see that you will be installing passive air intake vents on your building in the passageway with exhaust from the parking area discharged into the alley. Are we correct in assuming the wall will be solid and not the mesh-type that enclose the parking garage at the Target on Lake Street?

f) Character of the building.

We appreciate your reluctance to revisit the design of the building. However, our group members have concerns about how well it fits visually within the context of neighboring structures. Neither the massing, color palette, nor function of the building relate to Unity Temple, which is separated from the site not only by the 855 Lake apartment building but also the surface parking lot to its west. We believe the building should instead relate to the multi-unit vintage residential buildings that will closely flank it on either side, with their central entrances and multiple windows. Although your proposed building will be dramatically different in style, it could relate to these buildings better in palette. A darker color on the facade, perhaps coordinating with the dark red tones of both neighboring buildings as well as the library directly across the street, would deemphasize its building's bulk relative to its neighbors.

There have been several color schemes proposed for the exterior of the building. Have you chosen one for your final proposal, and if so, could you tell us what it is?

g) North elevation of the building.

We understand your position regarding the workout center and the ATM.

h) Parking.

Although it will not replace all the parking spaces our association members will lose in the Bank lot, it is a neighborly gesture to give us six parking spaces at no cost in Lot 96, and we appreciate it. Because we plan to use the spaces for handicapped and older residents, we would also appreciate the spaces being located at the north end of Lot 96, closer to our building. We can work out the details regarding a handicapped space at a later date.

As mentioned in c) above, could you provide us with the language that will be used in the easement agreement?

i) Our front lawn.

Your plan for a dog run on the southwest side of the building, along with having a policy in place for tenants with dogs, sounds like it will work well.

j) Pre-construction inspection.

Could you tell us where to get more information on the Village protocol regarding pre-construction inspections and documentation?

k) Vibration monitoring.

Thank you for agreeing to provide vibration monitoring. Will there be a monitor on our property, and will we have the means to review the readings?

l) Dust/dirt removal and abatement during construction.

You are going to publish a plan for removal and abatement of dust. I believe you told me you would come up with a schedule after you have retained a cleaning service. Can you tell us how often you will ask them to clean? Do you plan to install a barrier against dust and dirt on our property? Also, does Oak Park have a protocol for this process? If so, could you tell us where to find it?

m) Insurance.

It is good to know you will add our association as an additionally insured on your liability policy. Can you tell us if that will also include property damage?

n) Contact information.

You agreed to give us the name and contact information of an onsite person during construction. Are you also planning to build a website to provide information similar to Better Lake Street info@betterlakestreet.com that provides information on the progress of the project to those in our building who choose to sign up?

We understand it is the beginning of the Planned Development process, and there are commissions and boards that will have to approve your application. We hope you understand that you are proposing a building that will be a major issue for the owners in our building, and we are trying to encourage the best outcome for everyone involved.

We are looking forward to your response.

On behalf of the Courtland Condo Association,

Bob Moser
President

Cc: John Schiess

Sent via email

THE COURTLAND CONDOMINIUM
ASSOCIATION

813 - 825 Lake Street
Oak Park, IL 60301

October 26, 2020

Mr. Tom Meador
President and CEO
Michigan Avenue Real Estate Group
1259 W. Madison Street
Chicago, IL 60607

Dear Mr. Meador,

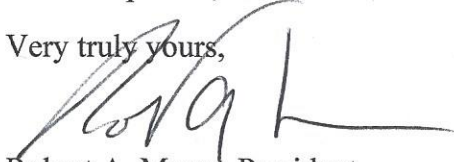
This letter is to inform you that the Courtland Condominium Association is in agreement with the proposed modifications to your proposed building at 835 Lake Street. We agreed to accept the conditions and modifications as discussed in our exchange of letters, which are attached. We made this decision because you were willing to listen to our concerns and make concessions on most of them.

You initially proposed building the east elevation of 835 Lake Street 6'6" from our building at the closest point. You agreed to change your proposal to allow 10'4", which complies with the zoning ordinance and will not require a variance.

In addition to increasing the side yard setback, you addressed issues such as water drainage from the 835 property, provision of eight standard size parking spaces for our use, and security, privacy and detail in the passageway between buildings. You said you would provide us with access to vibration monitoring readings, dust/dirt removal and abatement during construction, and you will name the Courtland as additional insured on your liability/property damage insurance policy. You also assured us we would have the name and phone number of a person who we can call if issues arise during construction.

Our one outstanding concern is the color palette for the building. You explained that the color in the proposal we have been discussing has been preliminarily approved by the architectural firm hired by the Village of Oak Park to review building proposals. We would like to see colors more complimentary to the colors of our building. You said you would tell the Plan Commission there would be no problem changing the color palette, and we will work together on that issue. For that we say thank you.

Very truly yours,



Robert A. Moser, President
The Courtland Condominium Association

attachments: Four letters between developer and association