



Little Village Environmental Justice Organization
2445 S. Spaulding Ave. Chicago, IL 60623

December 16, 2019

Maurice Cox
Commissioner
City of Chicago Department of Planning and Development
121 N LaSalle St.
Chicago, IL 60602

Dear Commissioner Cox:

The Little Village Environmental Justice Organization (LVEJO) hereby provides comments on the draft 'Master Planned Development' guidelines initiated by the Chair of the Chicago Plan Commission, Dr. Teresa Córdova, and prepared and released by the City of Chicago Department of Planning (DPD) on October 17th, 2019. LVEJO appreciates the opportunity to review the DPD's Planned Development (PD) process, and has several recommendations on how the DPD's process to approve or reject developments can be improved.

Historically, the PD process has excluded significant input from community members impacted by potential PDs, and has not allowed for sufficient community control in the ultimate decision to approve or reject a PD. The DPD, Chicago Plan Commission, and the City Council often approve projects that the majority of the community are against. This was highlighted in 2018 and 2019 with the approvals of megaprojects such as Lincoln Yards, The 78, and Hilco's redevelopment of Crawford Coal Plant, all of which were severely opposed by the majority of the communities they were planned for, yet all of which are slated to receive public funding either from the City of Chicago or from Cook County. This process must be mended so that it no longer leads to inequitable outcomes for the majority of Chicago's Black and Brown neighborhoods. Indeed, LVEJO recommends that this amendment to the PD processes be the beginning of deeper and more extensive holistic reforms to the City's planning practices such that equity and social justice drive outcomes from planning for Chicago communities.



Little Village Environmental Justice Organization
2445 S. Spaulding Ave. Chicago, IL 60623

LVEJO has a great deal of experience with the PD process, in particular how past decisions by the City of Chicago to locate industrial facilities that emit significant pollution and toxic elements has led to Little Village becoming an environmental justice community that deals with daily air, water, and land pollution, as well as the resultant health and economic inequities. LVEJO has been fighting for environmental justice in Little Village for 25 years and has worked closely with community members to understand the environmental and social issues harming people on a daily basis. We have also worked towards developing solutions to those issues, as evidenced by our successful efforts to shut down the Crawford Coal Plant in 2012; the conversion of an Environmental Protection Agency (EPA) superfund site into a 22-acre community park in 2014, the largest conversion in the country; the permanent re-establishing of the 31st bus route in the neighborhood in 2012; and the 2014 conversion of a brownfield into the largest community garden in the neighborhood, which now has enough capacity for more than 40 local families. LVEJO strives for achieving solutions that ultimately lead to better outcomes for everyone. This experience provides us the opportunity to inform any new process in a significant way.

These comments are meant to inform how the DPD can better include environmental factors into their ultimate decision of whether to approve or reject a particular PD. It also addresses issues of community engagement and influence in the process, transparency by the DPD, and the lack of a unified vision for how the city transitions away from fossil fuel use amid a changing climate.

- 1. There needs to be a process that requires developers to analyze and determine the potential short term and long term environmental impacts that a Planned Development may have.** Currently, there is nothing in the guidelines that requires developers to analyze the potential environmental issues their developments may create. Historically, regulations on current industrial facilities and operations have been minimal, which has led to significant pollution throughout the city. This must be taken into consideration when approving or rejecting a proposal, especially if the new development will further exacerbate the problems already experienced in and impacting a given community. The City must acknowledge that past land use decisions by the DPD has led to air, water, and soil contamination in many neighborhoods of color, and developers must



Little Village Environmental Justice Organization
2445 S. Spaulding Ave. Chicago, IL 60623

consider this legacy of environmental racism, as well as the injustices that it has created, before proposing a project that will continue to pollute the area to the detriment of residents. Developments that do not take this into account should not be approved.

2. **All PD's should be required to include a process for meaningful community input and influence, regardless of size and early in the process. Developers should be required to host more than the required one community meeting, and engage as many stakeholders as possible from the beginning of the process, to ensure that the community has a say in the PD and that developers responds to the needs of the community.** The proposed Master PD Designation Criteria states "If a proposed PD project meets any of the following additional thresholds, it will be deemed a Master PD and additional community engagement and technical review requirements will be necessary: if it's Privately owned, it is 20 Acres, or 4 Million GSF of development, or 4,000 Dwelling Units. If it is owned by the City or City/sister-agency, then it is 10 Acres, or 2.5 Million GSF of development, or 2,500 Dwelling Units." While larger developments should be required to go through this process, there should also be a parallel procedure for smaller PDs. This is especially an issue in neighborhoods that have experienced a significant amount of displacement and gentrification, where it is often not large-scale, but small-scale developments that have produced the most amount of rapid neighborhood change. This is also an issue in communities like Little Village, where impacts are experienced cumulatively, whether from large, single-site operations to small, highly concentrated, but nonetheless impactful, industrial facilities. Communities should be able to weigh in on all developments in their neighborhood.
 - a. Additionally, The current process for these developments only requires developers to host one community meeting, which does not adequately provide opportunity for meaningful input and suggestions from the community. As the proposal currently states, additional community meetings will be required depending on whether or not the DPD deems it necessary. One meeting will almost never be enough time to collect sufficient input and testimony from the communities that will be impacted most by a development. There should be a requirement for developers to



Little Village Environmental Justice Organization
2445 S. Spaulding Ave. Chicago, IL 60623

host far more meetings than just one, especially for those PD's that will create the most change — developers should be required to host several meetings, in different parts of the neighborhoods, and be required to take into account what the community is requesting. Developers should not be allowed to host one meeting to simply check off the “community engagement box,” while only engaging a small subset of the population. Hosting meetings in different parts of a neighborhood, at different times of the day, and with different community-based organizations will attract different stakeholders to engage in the process, and ultimately give more meaningful input. Furthermore, community input should occur early enough in the development process for PDs that it can be consequential for crucial aspects of PDs and can create the opportunity for developers to substantively respond through changes in their plans.

- 3. There need to be long-term guarantees, monitoring, and evaluation that require developers to fulfill any promises they make to communities as part of the PD approval process.** The current and proposed PD criteria does not require long-term accountability on the part of the developers. Under the proposed changes, developers only have to follow the criteria at the beginning of a project and do so in order to get a project approved. There is not any built-in mechanism for holding them accountable long-term, meaning projects under development and implementation can ultimately proceed very differently from what is initially promised, to ill consequence for the community and the City alike. The political economy may look significantly different in 10, 20, or 30 years, and this will also determine how many projects develop and evolve. Developers need to be held accountable, but so does the DPD. While DPD leadership and staff may change as administrations change, implementing structural mechanisms that also hold DPD accountable to monitoring and enforcing the PD criteria is an important tool for realizing community goals and encouraging responsive and realistic developer plans. If developers know they will be held accountable 30 years down the road, they will be more likely to produce higher-quality developments, and will work to ensure that they will not be liable for anything in the future.



Little Village Environmental Justice Organization
2445 S. Spaulding Ave. Chicago, IL 60623

- 4. DPD should institute mechanisms for community to exercise power in preventing a PD from being approved if it will have significant negative impacts to the surrounding neighborhood area and residents.** In particular, communities of color and low-income communities are in dire need to have more mechanisms for exercising decision-making power in the process. Wealthy communities are often able to influence processes in a way that low-income communities do not have access to, therefore, it is imperative that this imbalance be resolved such that all communities can utilize regulatory tools to halt PDs where their impacts will be significantly detrimental to the well-being of a community. This is very different from NIMBYism (“Not In My Backyard”) however, in the sense that such a function should not be used to prevent developments that increase well-being in a given community, for example, it is not about a tool for community banding together to prevent an affordable housing project from being constructed. Instead, such a tool would allow for communities of color being able to prevent a development from occurring that will significantly increase their property values such that the increase would displace existing residents of the community, especially if that neighborhood is already experiencing gentrification. Such a tool would allow some communities to prevent toxic industrial facilities from being located in their neighborhood or massively expanded, preventing the economic benefit arguments to outweigh the environmental, health, and economic costs and concerns. This mechanism of power has never been exercised or created previously within Chicago’s policies,, and therefore would require creativity and collaboration with stakeholders to develop and implement. This change could have huge implications for Black and Brown neighborhoods throughout the city. A tool of this nature should be equity-focused and leverage existing expertise and wisdom from community residents and stakeholders, and it can be complemented through interagency collaborations that bring in areas of impact not previously considered through DPD or the PD process.
- 5. Global climate change is a major concern and should be considered when approving or rejecting Planned Developments.** Although we are unable to predict the long term impacts that climate change will have on the Chicago



Little Village Environmental Justice Organization
2445 S. Spaulding Ave. Chicago, IL 60623

region, or on Illinois as a whole, what we do know is that the state contributes significantly to greenhouse emissions in the form of energy production, as well as the impacts from transportation infrastructure (Trucking, Distribution and Logistics industry). Chicago, and its surrounding metropolitan area, plays a key role in the U.S. distribution system and already has the third largest intermodal port in the world. Global transportation and the movement of goods now contributes the most amount of greenhouse gas (GHG) emissions annually, slightly ahead of energy production. The transport industry has increased significantly over the past 20 years, especially with the rise of e-commerce and the impact on global trade. Due to the role that Chicago plays in the U.S. distribution system, there is a great deal of potential to fundamentally change the way that global trade is powered. Seeking alternatives to fossil fuel usage is crucial to decreasing the amount of greenhouse gas emissions that is produced by transportation. Therefore, the City of Chicago should require that all PD's take into account the impacts to local and global climate change, especially those impacts that are transportation related. This would align well with the City's own initiatives to tackle climate change, including the commitment to transition to 100% clean renewable energy community-wide beginning with 100% renewable electricity in buildings by 2035 and electrification of CTA's bus fleet with 100% renewable electricity by 2040

- 6. Public funding should never be awarded to projects that will negatively impact communities, or to billion-dollar companies that already have the means to fund their developments.** As previously mentioned, mega-projects such as Lincoln Yards, The 78, and the Hilco Redevelopment Partners redevelopment of the Crawford Coal Plant, all received public funding for their projects, even while being severely opposed by majority of the communities they were planned for. Lincoln Yards and The 78 are both billion-dollar developments proposed by billion-dollar companies. Both companies are also receiving over one billion dollars in public funding. The very same communities that were fundamentally against the developments are being forced by the City of Chicago to subsidize those developments in the form of Tax-Increment Financing money. This is money that is meant to be used for public resources like schools, parks, infrastructure and public safety. Instead, this money is being given to developers



Little Village Environmental Justice Organization
2445 S. Spaulding Ave. Chicago, IL 60623

to build massive Master Planned Developments, which will primarily include luxury housing not meant for the majority of taxpayers in the city, despite guarantees of provision of small percentages of affordable units. Additionally, these projects will have significant impacts on the city's housing market, and may further exacerbate the issues of affordability, displacement and gentrification that is currently happening in many parts of the city. This is completely unacceptable: communities are essentially subsidizing their own displacement. Similarly, Hilco received \$19.7 million from Cook County after receiving a supportive resolution from City Council, but their subsidiary HRE Crawford only bought the property for \$12 million. Hilco, a billion-dollar company, is being paid at least \$19.7 million by the people of Cook County to bring hundreds of additional semi-trucks through and to Little Village, a neighborhood that is already disproportionately burdened by diesel-intensive semi-truck traffic congestion. Despite strong neighborhood opposition, the project was pushed through by the former 22nd ward Alderman, the City Council, and the DPD. Public funding should never be awarded to projects that the majority of the community is against due to significant adverse impacts

- 7. DPD and the Alderperson should not be the only entity able to host official community meetings; instead a neutral party should be required to host the meeting, in particular a group that has no stake in the outcome of a Planned Development or who do not have an agenda that would influence their decision to support or reject a proposal.** The proposed 'Master Planned Development' guidelines state that community meetings will be coordinated by the local Alderperson or by DPD. While the DPD and Alderpeople should play a role in the process, there is a major concern over the true neutrality of these parties. There have been instances where the developers have contributed to the campaign funds of the local Alderperson of the wards they hope to develop in, and there is doubt over whether that Alderperson can then truly be considered a neutral party. Similarly, if the Commissioner or staff of the DPD have closer relationships with developers than with community members, DPD will not be perceived to be a neutral party and community input may be stifled. Instead of the DPD or the Alderperson being the main coordinator/host of a community meeting, a neutral party should be brought in to mediate discussions between



Little Village Environmental Justice Organization
2445 S. Spaulding Ave. Chicago, IL 60623

the community and the developers. This allows for the increased likelihood of meaningful community input and an equitable outcome for the community, as well as helping to ensure that DPD and the Alderperson do not advance PDs that go against the wishes of the community due to significant adverse impact. This will also allow for increased sharing of power and will help to hold the DPD and the Alderperson accountable to the community.

- 8. Developers should be required to directly respond to issues and suggestions brought up by the community and must maintain contact throughout the process of developing the final PD proposal.** If developers truly want to demonstrate that their developments will be good for the community, then they need to respond to community questions, concerns, and suggestions, incorporating recommendations into their developments. Community members are the true experts of a neighborhood, and often have insight and knowledge that outside parties simply do not. Therefore, their perspectives — including experiences and other kinds of community-collected data — should be taken into consideration when analyzing whether or not a development will truly benefit the community it is being proposed for. Furthermore, if the majority of the community is against certain aspects of a proposed development, then the project should not be allowed to proceed without the developers first addressing those concerns. Developers should maintain contact with community members throughout the process and not simply just before a project is completed. Developers should provide transparent and regular updates on the proposal development timeline, the project timeline, and major activities being implemented along the way. Developers should also be in prompt and regular communication regarding any potential air, water, soil, or noise pollution that may occur. Developers should also provide long term updates and analysis that determines the overall impacts of the development, and measures that have to be taken to mitigate detrimental impacts. Developers should go out of their way to engage as much of the community as possible, particularly in open public forums, and not closed-door meetings



Little Village Environmental Justice Organization
2445 S. Spaulding Ave. Chicago, IL 60623

- 9. The Supplemental Materials and Studies list must be comprehensive, and include detailed impact studies for all of the potential factors from a Planned Development.** This should be a crucial component in understanding the overall context of a potential Planned Development, and determining whether to approve or reject a proposal. This includes an Environmental Assessment and/or Impact Statement — one that takes into account past injustices and makes recommendations based on current cumulative conditions. All Traffic/Transportation Impact studies need to also account for the role of freight, and the location of Trucking, Distribution and Logistics (TDL) facilities. Semi-truck traffic needs to also be included in any traffic study, which will help identify the number of trucks currently passing through residential areas, as well as additional issues that semi-truck congestion are related to. Large transportation projects, such as a new logistics center, should not be allowed to locate in areas where semi-truck traffic is already severe and adversely impacting community residents' well-being. Previous neighborhood plans should also be taken into account when proposing a new development. If a community works to create a plan for development, any developer that comes into an area should have to take the community-based plans and guidelines into account before proposing a new development.

Thank you for providing us with the opportunity to submit comments, and we look forward to collaborating with DPD and other stakeholders to improve the PD process, as well as the broader planning arena in the City of Chicago.

Sincerely,

Little Village Environmental Justice Organization

cc. Teresa Córdova, Chair, Chicago Plan Commission