

May 10, 2023 Evanston Land Use Commission Written Public Comment

Timestamp	Name (first and last)	Address of residence or property owned	Meeting date	Agenda Item (Property address or description of agenda item)	Position on Agenda Item (as applicable)	How would you like to make your public comment?	If you are providing a written comment, please leave here:	Are you representing yourself as an individual or speaking on behalf of a group?	Please name the group of people for whom you are the designated speaker.
4/26/2023 21:35:36	Jason A Gocek	3507 Central St Evanston IL 60201	5/10/2023	Kensington School	Opposed	Written comment	<p>I strongly oppose this project as a direct neighbor to this property for many reasons but I offer this as a primary concern. There are only 30 some proposed spots on the site plan. The daycare my son attends has approximately 45 employees that each have their own space in a separate lot (47 spaces); there are 22 spaces for parents to park which isn't nearly enough during the peak drop off and pick up from 7:30 – 8:30 AM and 4:30 to 5:50 PM. It's a total traffic jam during those time windows, even though the parent lot is empty the rest of the day. And this is with nearly 70 parking spaces... not 30.</p> <p>Imagining that this school will operate on similar hours with similar staff (once at full capacity) that means that 80% of their staff will likely need to park on adjacent /neighborhood streets to keep the lot spots available for families dropping off and picking up. The Kensington plan says they will only have 22-26 employees, but they cannot run a school that size for the hours they are open with that small of a staff. It is unsafe and potentially illegal. I believe they say the staff # is low - and it may be in the first year - to please the village and to get past this part of the approval process. But you cannot have a school + staff that size with only 30 some parking spots. Families/customers will not be okay with parking on the street so staff will have no choice but to crowd the blocks with their cars.</p> <p>Additionally, all the traffic making a left turn to head north will make it incredibly hard to manage cars in their lot. There's so many red flags with their parking lot and traffic flow situation but they have A LOT of money to pay traffic engineers to write a report in their favor. I WISH I were not so skeptical of ethics but this is the world of big money. Traffic engineers count cars at certain times of the day; if they do not foresee a problem with Kensington at this time, it is likely because that intersection currently does not have the interference of Kensington customers creating the traffic counts in their data. Once Kensington is built, the traffic engineers would have something totally different to report during the peak rush hour time windows. There are so many red flags already with the plan - please keep our neighborhood and kids safe by not allowing it to move forward.</p>		
4/26/2023 9:59:41	Amy J Hauenstein	3507 Central St Evanston IL 60201	5/10/2023	Kennington School	Opposed	Written comment	<p>We live directly across the street from the Unity Church and have been closely following the developments of the Kensington School proposed project because it will GREATLY impact the way we live day to day. We STRONGLY oppose this use of this property. We have small children and pets that do not have sidewalks or speed bumps or any mechanisms to keep them safe while playing in our neighborhood. This currently is ok, while not ideal, because of the low traffic flow.</p> <p>Additionally, the intersection of Gross Point and Central and Ridge is already incredibly dangerous with inconsistent traffic light patterns and adding more cars of parents rushing to get their children will make this a menace to our neighborhood.</p> <p>Moreover, we simply do not need another daycare in the area and this business is unnecessary. There are several high-quality daycares within a few miles of this proposed location and so the project will not add anything of value to our neighborhood. In fact, it is clear by the "revised" plan presented here that the neighborhood, again, was not a consideration of the project plan and was put forward without consultation or care for those of us who invested in the area. The impervious surface overage, the destruction of mature trees and green space, and the emissions from a large building and the vehicles who would frequent it have not been thoughtfully presented.</p> <p>As a citizen of Evanston who cares deeply about our climate, wildlife, and green space preservation, I cannot in good faith support anything about this project. It will decrease the value (monetary and sociological) of our home, neighborhood, and lives - in one of the very few spaces that affordable housing is available for working-class and middle-class families on Evanstons NW side. We do not need "big business" bullying its way into our space. Please reject and stop this project and allow Unity Church to search for someone who intends to be a partner and contributor to our beloved neighborhood.</p>		

5/7/2023 16:13:38	Brian Mahoney	2538 Gross Point Road, Evanston	5/10/2023	Kensington School Special Use	Opposed	Written comment	<p>I will attend the hearing, but have three points of order and one substantive comment I want to provide in writing in advance of the hearing. First point of order, Notice was not provided to at least certain residents of the Co-Op. The City is not following its own rules for mailing notice of hearings to impacted property owners. While the City rules do not allow delegation of the notice provision to private citizens, even if they did allow for such delegation the delegation was not effective in this instance: in fact any purported delegation of notice was NOT performed by the putative delegate. Certain Co-Op may not be aware of this hearing as I write these comments; in fact, I believe many Co-Op residents are not aware of the hearing. I only learned of the hearing by happenstance via a neighbor who resides north of the Church. Other Co-Op residents did not receive notice of the hearing. Second point of order, the applicant does not have standing to bring the application. He has only contractual rights in an executory real estate contract: he does not have a "legal or equitable interest" in the Church's (the subject) property as those terms are defined under Illinois law. Third point of order, the application is ambiguous and self-contradictory as to whether the applicant in applying as an individual or a corporation. Page 1 of application indicates an individual is applying but page 6 of 6 of Disclosure seems to suggests a corporation is applying: but no corporation is identified. One substantive point: City personnel have consistently indicated any approval of the special use application is conditioned on an agreement concerning the Co-Op's easement rights. But, there is no such agreement; in fact, to the best of my knowledge no negotiations concerning a possible easement have taken place in close to a year. Thank you for your consideration. Sincerely, Brian Mahoney, as Executor of the Estate of Catherine Mahoney</p>
5/8/2023 11:24:25	Laura Mahoney	2540 Gross Point Road	5/10/2023	3434 Central, Kensington School Special Use	Opposed	Written comment	<p>As was discussed at the LUC meeting last year on this matter and still applies to this revised request, changes to traffic in and out of the state-governed Gross Point Road require IDOT approval. I have contacted IDOT many times over the past year since this matter was presented to LUC and concluded with LUC indicating they would wait for IDOT's decision before further LUC deliberations. My most recent response from IDOT was May 1, 2023. The only information IDOT can provide is that they have been waiting since May 23, 2022 for a response from Kensington and/or its representative(s) to IDOT's May 23, 2022 request for submission of a revised plan to IDOT.</p>
5/9/2023 13:27:43	Mike Murray	3530 Hillside Rd, Evanston	5/10/2023	Kensington	Undecided	Written comment	<p>I am concerned about extra school traffic forcing people off the street on Central St. As the city may or may not know, this neighborhood is lucky to have many children in it, and they usually play in the street, riding bikes, playing sports, etc. Uses that force people off the street will diminish the quality of life for the area. There are no real sidewalks to code in the area either, it is not practical to recommend sidewalk usage, even if we wanted to prioritize cars over people.</p> <p>If the school plan for traffic uses Gross Point Rd as the sole entrance/exit point, it potentially could work. I am not a hard NO, there is definitely a use for that site that takes advantage of Gross Point. But if the plan is to pour a bunch of distracted parents in cars onto Central Street, we will eventually have a kid run over.</p>

5/9/2023 16:50:01	Patricia Tremmel	2538 Gross Point Road	5/10/2023	Kensington proposal	Opposed	Written comment	As I stated in written comments to the City of Evanston before the land use commission meeting held last August on the Kensington proposal, I remain strongly opposed to the building of the daycare center on the Unity Church property. The concerns Hillside neighbors voiced during that earlier hearing, first about the Sarkis Café rezoning issue and then the Kensington proposal, made a compelling case about the significant traffic issues the proposed daycare center would cause not only for the Hillside neighborhood but for the entire city of Evanston. Traffic issues already are of great concern at the intersection of Central and Gross Point Road, which surely would greatly compound if the daycare center were to do a curb cut for an entrance off of Gross Point Road. And, as neighbors at the hearing last August articulated so eloquently, the intersection next to Sarkis, only a half block north, too, already suffers from significant traffic issues. Not only would the building of the daycare center increase traffic at both of those closely situated intersections, particularly at the Central and Gross Point intersection, and increase safety concerns for neighbors, especially children who frequently walk across and ride their bikes through both overburdened intersections. The daycare center also would greatly impact residents of the entire city of Evanston. The Central and Gross Point intersection is the gateway to and from the city. Anyone who lives in the area is familiar with the backups of traffic, going east, west, north and south, that occur at various times throughout the day at that intersection. Because many of the drivers turning left from Central onto Gross Point Road are heading out of Evanston to get to the highway or some other place west of the city, they only have a short block to get into the right lane to turn onto Old Orchard Road, and their cars all too often come perilously close to hitting each other as they switch lanes. Because of the size of the proposed daycare center, whether Kensington does or does not have IDOT approval for a curb cut on Gross Point, traffic issues would significantly increase not only on Gross Point Road, but also on Central Street, especially, and on Princeton, with the influx of daycare school parents trying to find the quickest way to get their children to the daycare center before heading off to work or other engagements. And the coop's concerns are major, as its residents would be greatly affected were the proposed two-story daycare center to be built on the Unity Church property, which consists of only an acre of land that bumps up right against the Coop's parking spaces and three buildings. Coop residents' access to its property and parking would be seriously restricted. Besides, to my knowledge, the significant easement issues that prevented the development of the daycare center in the first place remain. At last August's land use commission meeting, commissioner George Halik, who said he frequently drives through the Central Street and Gross Point intersection on his way out of town, in essence told Mr. Marlas that though his daycare center may be great, it is not right for the Unity Church property. Many of the neighbors opposing Kensington's plans are cognizant that the church has a right to sell and are not against economic development in this area, but rather feel strongly, too, that the daycare center is not right for this particular property. Evanston is such a great place to live, a city like no other, at least in Illinois, and I hope the commission will seriously take into account the serious arguments against building a Kensington school on the Unity property.
5/9/2023 18:48:45	Craig McClure	2507 Princeton Ave	5/10/2023	3434 Central St	Opposed	Written comment	Why is this item back on the agenda? My understanding is that IDOT has not approved a new entrance off of Gross Point and the co-op has not yet agreed on a right of way. The two way entrance off of Central St allowing traffic to enter and exit from both east and west will create more traffic in the neighborhood. At the moment, we're seeing increased traffic north on 2500 block of Princeton as cars use it as a shortcut since a left turn from westbound Old Orchard onto north Gross Point is currently prohibited. This proposal by Kensington will result in cut through traffic on the 2500 and 2600/2700 blocks of Princeton. Cars coming from the north will turn on Thayer and come down Princeton to Central.
5/9/2023 19:12:03	Jennifer Packman	2555 Gross Point #407	5/10/2023	Kensington School, 3434 Central Street	Opposed	Written comment	I am opposed to this zoning exemption because: 1. It is zoned as it is for a reason. Installing an oversized school on this parcel goes against the entire POINT of zoning. 2. The failure to recognize the impact this would have on our neighbors at First Williamsburg Coop is appalling. 3. An area where Central Street, Gross Point Road, Crawford Avenue, and Wellington Court all come together is already a phenomenally complicated and dangerous intersection. Adding more traffic via another entrance/exit is dangerous for everyone, including those entering and exiting at that point. 4. Someone is going to get hurt at this overburdened intersection and they WILL sue both the school and the city for approving this. It's not as if there has not been adequate discussion of the danger posed. 5. The greatest danger is clearly to the children of Central Street. Protecting them should be our first priority.
5/9/2023 20:32:39	Brian Mahoney	Estate of Catherine Mahoney; 2538 Gross Point Road	5/10/2023	Kensington	Opposed	Written comment	Further to my point of order from comments I submitted Sunday: In Section 2 of Application Applicant is identified as an individual but in Disclosure Statement part of Application (page 6 of 6) filled out a part of the Application only applicable to corporations and listed himself as an officer and/or director: but I searched the Secretary of State records this evening: ilsos.gov does not produce any records for Illinois corporations for "Marlas" and "Kensington"--has the City looked into this? Is there a corporation registered in another state that is the real party in interest here? What is the name of the corporation? Has it been vetted? Are there other persons with financial interests in a putative corporation that is the real party in interest in connection with this special use application? Thank you, Brian Mahoney, as Executor of the Estate of Catherine Mahoney
5/9/2023 20:36:00	Kara Wilkinson	3513 Central St	5/10/2023	3513 Central St	Opposed	Written comment	I will be directly affected by this project (my house is directly across the street from it) and am very much against it. The traffic at Central and Gross Point is already terrible compounded with the traffic at Central and Crawford and Gross Point and Crawford. Putting a school/daycare near that location and having only 35 spots for 20+ employees, that are not supposed to park on the street, with parents that have to bring their children inside for check in and pick up is just asking for chaos on Central and Gross Point. I don't really understand why a school is even being considered for an area that is zoned for single family residences. I've been paying attention to this since I moved here and will continue to speak up about the best interests of the neighborhood. The Hillside Neighbors Group is very aware of this project and we are all working together to do whatever we can to not have this move forward.

5/10/2023 6:39:27	Pam Winkler	3614 Hillside Rd	5/10/2023	Kensington school	Opposed	Written comment	We are opposed to the Kensington School proposal because of the traffic impact at the Central/Crawford/Gross Point Road intersections. This area is already highly trafficked and has cars waiting in the intersections blocking traffic and the school will only create more traffic. There are also lots of school children and pedestrians walking to school and Lovelace Park and it would be unsafe for them. There is also rush hour traffic on Gross Point Road heading to the Edens expressway and the turn off into the school on Gross Point road would create further traffic problems.
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Michael Griffith <mgriffith@cityofevanston.org>

First Williamsburg objections to Kensington School development

1 message

Peter Roothaan <proothaan@gmail.com>

Fri, May 5, 2023 at 1:18 PM

To: Linda Kelly <k-linda@att.net>, ncummings@cityofevanston.org, Joanne Blake <joanne1451@gmail.com>, ewilliams@cityofevanston.org, aruggie@cityofevanston.org, Robert Feldman <rkf860@live.com>, Michael Griffith <mgriffith@cityofevanston.org>, Thomas Suffredin <tsuffredin@cityofevanston.org>

Dear Michael et al.,

Thank you for taking the time to meet with me on Monday, May 1 to discuss the City of Evanston's perspective on the proposed development of the adjacent Church property into a for profit business.

Our counsel has obtained an ALTA survey and updated title report from Chicago Title Insurance Company. Chicago Title has confirmed that the easement benefits First Williamsburg's parcel (dominant easement tenant) and cannot be modified absent the consent of the First Williamsburg. Since the development of the Coop in 1952, First Williamsburg and all of its shareholders and invitees have continuously used the easement to the full extent of its boundaries. In addition, First Williamsburg has continuously asserted and enforced its rights to the easement and has no intention of waiving or agreeing to any modification or termination of the easement and will continue to enforce its rights. A servient tenant of an easement has no right to terminate the easement. Kensington School isn't even a servient tenant of the easement as they are not the title holder to the Church property, and its standing to take any action regarding title matters is suspect at best. Based upon statements from your legal team, is the City of Evanston going to act as advocate for a private business and commence a taking of First Williamsburg's property interests? The bias expressed by the City is palpable. Wondering what the benefit is to the community that drives the City of Evanston to advocate for termination of First Williamsburg's property interests?

The entire neighborhood is opposed to the proposed redevelopment of the church and the construction of a large for profit school building in a residential neighborhood. The project is completely out of scale with the neighborhood and creates overwhelming safety and traffic concern for the already overburdened Central Avenue, Crawford Avenue, and Gross Point Road. Any other conforming use of the site would not cause 160 or more vehicle visits at least twice a day to the neighborhood, with queuing up and blocking access to any number of residences along Central Avenue, including restricting access to the First Williamsburg site. That figure doesn't even include daily service and staff vehicle traffic. The fact that Kensington is asking for numerous zoning variances is indicative of how the scale of the proposed development is much too large for the site, and thus requires multiple removal of zoning requirements.

Rather than trying to accommodate a project that will be a severe detriment to the surrounding community, the City of Evanston should be focused on doing it's part to ensure that any development on the site be an enhancement to the neighborhood and make for a richer community, not damage the feel and functioning of the neighborhood as the Kensington School will clearly do.

Kensington is clearly persistent in trying to have their development approved by the City of Evanston. Unfortunately their persistence is not reflective of the value of their development to our community. It is not in the interest of First Williamsburg, the surrounding community, or the maintenance and improvement of the rich community experience in this beautiful and neighborly area of Evanston, and the City must reject their proposal.

We are compiling a document that lists detailed information on the numerous difficulties that the proposed development will create, and will share this document with the City on Monday, May 8.

Sincerely,
Peter Roothaan
President First Williamsburg Corporation
847-644-3449



Katie Ashbaugh <kashbaugh@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com>

Tue, May 9, 2023 at 9:49 AM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: Land Use Commission Public Comment

Submitted at 05/09/23 10:49 AM

Name: Milton Rand

Address of Residence: 2538 Wellington Ct

Phone: (314) 442-9265

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: While Evanston clearly needs more daycare options, I am very concerned about the traffic impact of this development. Daycare drop offs and pickups are necessarily clustered in morning and evening. Even if the daycare staggers classes, families with multiple children must make arrangements for a single drop off. This increases the traffic at an already very complicated intersection. Additionally, this is the northern exit to North Pointe's Wellington Court exit onto Gross Point Rd.

This section of Gross Point Road is a key route to Skokie Hospital Emergency by ambulances. Additionally, it seems that the Alden Estates of Evanston rehab center is serviced by ambulances multiple times per day. Access by emergency services to both these critical facilities could be impaired if the traffic issues are not resolved.

I also have environmental concerns about the impervious surface exception. This will force storm water into the storm sewer system, potentially overloading the system downstream. With potentially increased storm levels forecast, it is clear this is not a good decision.

Reduction of the driveway aisle width will not help traffic flow issues.

It feels abusive to the long time apartment building owners to reduce the south side transition strip.

So this is a complicated decision for the commission. I urge them to reject this proposal.

Agenda Item (or comment on item not on the agenda):

3434 Central Street, PIN: 10-10-200-073-0000 CASE #22PLND-0012

Position on Agenda Item:

Opposed

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Formstack, [11671 Lantern Road, Suite 300, Fishers, IN 46038](#)



Katie Ashbaugh <kashbaugh@cityofevanston.org>

Support for Kensington School

Bill Sherman <shermanbill1@gmail.com>
To: zoning@cityofevanston.org

Wed, May 10, 2023 at 8:43 AM

I live in the condo building on GPR across the street from the proposed school and I support it. I understand traffic will be an issue. But I support smart development and believe a new daycare center would benefit the neighborhood and the city, and would be the best, highest-value use of the property.

Bill Sherman
[2555 Gross Point Rd, Evanston](#)

"What is it you plan to do with your one wild and precious life?" -- Mary Oliver

Bill Sherman
shermanbill1@gmail.com
847 644 7590



Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com>

Mon, Jul 18, 2022 at 2:35 PM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: Land Use Commission Public Comment

Submitted at 07/18/22 3:35 PM

Name: JOHN ARNDT

Address of Residence: 2525 Wellington Ct.

Phone: (847) 977-7208

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: There is absolutely no reason for a driveway onto Gross Point Road. There is a driveway from Central Street into a parking lot. There is a traffic light at the intersection of Central Street and Gross Point Road which would help control Traffic for pick ups and make it safe for the students. Also, traffic along Gross Point Road would be severely impacted with pick ups and drop offs. I am totally against a driveway onto Gross Point Road.

Agenda Item (or comment on item not on the agenda): 22PLND-0012

Position on Agenda Item: Opposed

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Formstack, [11671 Lantern Road, Suite 300, Fishers, IN 46038](#)



Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com>

Sun, Jul 17, 2022 at 11:36 AM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: Land Use Commission Public Comment

Submitted at 07/17/22 12:36 PM

Name:	Michael Cholewa
Address of Residence:	3419 central street
Phone:	(917) 873-8907
How would you like to make your public comment?:	Written (see below)
Provide Written Comment Here:	I am against any land development. 22PLND-0012
Agenda Item (or comment on item not on the agenda):	22PLND-0012
Position on Agenda Item:	Opposed

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com>

Wed, Jun 22, 2022 at 4:13 PM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: Land Use Commission Public Comment

Submitted at 06/22/22 5:13 PM

Name: Mary Drotar

Address of Residence: 3521 Central St.

Phone: (708) 829-7470

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: We understand that iDOT did not yet approve the ingress/egress on Gross Point Road for the Kensington project. Do we have an idea when iDot will make this determination? And how will it be communicated to the neighborhood?

Shouldn't this meeting be postponed until this is determined since this will have a significant impact on the project?

Agenda Item (or comment on item not on the agenda): iDOT and the Impact to the Kensington Project

Position on Agenda Item: In Favor



[Quoted text hidden]



Michael Griffith <mgriffith@cityofevanston.org>

Kensington School project

1 message

Peter Roothaan <proothaan@gmail.com>

Mon, Apr 11, 2022 at 5:56 PM

To: Michael Griffith <mgriffith@cityofevanston.org>

Cc: Roseanne Mark <rmark@northwestern.edu>, Robert Feldman <rkf860@live.com>

Hi Michael,

Thank you for following up.

Kensington School has not contacted First Williamsburg Corporation in regard to the easement. First Williamsburg held an internal meeting recently to discuss shareholders thoughts about the proposed development. After careful consideration of drawings of the proposed development, shareholders were unanimous in the opinion that the Kensington development would drastically impair vehicle traffic in and out of First Williamsburg Corporation, severely reduce the size of our access drive, and make our parking area difficult to negotiate. We believe that it would negatively affect our quality of life and property values.

In addition, we do not think that the development fits in with the current character of the neighborhood. The area has been zoned for residential and a house of worship and we believe that a zoning change that would allow the construction of a for-profit enterprise will negatively affect our neighborhood, encouraging further encroachment into the neighborhood by other business enterprises, and lead to the degradation of the residential character of the neighborhood. The replacement of a non-profit church with a for-profit school is not in our view a positive development. Traffic frequency would dramatically increase, from the church's usual Sunday morning usage to the for-profit school's daily pickups and dropoffs that could number over a hundred cars twice a day 5 days per week. We also believe the neighborhood will be adversely affected by the demolition of a mid century, architecturally significant Church. The corporation also believes that a curb cut to Gross Point Road will add another traffic choke point to an already overburdened street, and as a practical matter, will eliminate any possible left hand turn from the property; a quite unnecessary inconvenience.

Also, we are not sure how anyone could evaluate the proposal without Kensington first providing an ALTA Survey identifying the location of the existing easement on both parcels, and Kensington's proposal for the forfeiture of that right-of-way, identifying area of land lost by the Corporation. Have those drawings been submitted to the Village? Wouldn't the City need that information to properly evaluate the proposal, including health and public safety/access and the impact on both parcels?

First Williamsburg Corporation has been in existence since 1953 and is committed to maintain the non-commercial residential character of our neighborhood that is so attractive to our residents and neighbors.

First Williamsburg Corporation is strongly opposed to this project.

Peter Roothaan

President, First Williamsburg Corporation

July 20, 2022

Dear City of Evanston Land Use and Planning Commission,

We object to the Kensington Development of the Unity Church property for the reasons listed below. We hope you will read them. We have lived next door to the Unity Church property for 30 years and are longtime Evanston residents.

Easement Agreement

Our Public Utility Easement (#15343121) has protected our public utilities and ingress and egress since 1952, before the church was built. It also provides the access we need to come and go, as well as to safely receive city services.

Why would the City allow any developer to interfere with or modify our utilities or create access issues for our residents? Ignoring the property rights protected by the easement agreement will also reduce our property values. The City and Kensington cannot assume that we would be in favor of this. Is it even legal?

The practicality of the 70-year-old easement agreement is clear and this agreement should really be grandfathered. Any buyer of the Unity Church property, as well as the City of Evanston, must respect this, must understand that the easement agreement is part of the package and must utilize it as originally intended.

Zoning

As you know, our NW Evanston neighborhood is nestled between Memorial Park, Westmoreland Country Club, Centennial Park and Lovelace Park. People feel safe here. The area is the jewel of Evanston and very attractive to homebuyers. Thus, the zoning of Northwest Evanston cannot change if Evanston desires to maintain its neighborhoods. You change the zoning, you lose the neighborhood and begin of the dismantling of the area. Change the zoning and you will lower the property values of all. Do any of you live here?

The City should seek to preserve these regions as earlier City visionaries recognized, and to uphold the right to the same quality of life for the people living in this neighborhood? Any zoning change is counterproductive to their vision. Who sees a need for the zoning to be changed?

Traffic

In doing a traffic study of my own on a random Thursday morning two weeks ago, from 6:30-9:30am, I counted cars passing by my building (S. side of Unity lot). In these three hours, over 1100 cars whizzed by heading southwest on Gross Point. Over 1200 cars passed by heading northeast. (These numbers do not include the 20 buses, 3 garbage trucks and 4 motorcycles that passed.) The numbers of cars and their speed surprised me. After the left turn from Central, most cars at this point are maneuvering to get into the right lane before they turn onto Old Orchard Road.

This is a dangerous corner for a school in general and additional cars only add to the problem. Traffic congestion will disrupt traffic flow and provoke new traffic patterns, which will cause cars to shortcut through the neighborhoods to avoid the intersection. This is not safe for anyone. Why would the City allow an already complicated traffic situation to be intensified by a private development? Is this really progress?

Driveway

Why should our access to Central Street be interfered with or limited in any way? No one in the neighborhood should be routed or re-routed or forced to make right turns, left turns, etc., based on the interests of a private developer. The neighborhood cannot be expected to accept this.

General Considerations

What value does the City see in this idea?

With the Little Green Tree House, the Goddard School, Bright Horizons, Covenant Nursery, Barbereux, and Northminster Nursery schools all within a mile of Central and Gross Point, there is no need for a daycare center/nursery school here.

Besides the above objections, schools bring with them a myriad of their own impositions, not the least of which are light pollution, noise pollution, traffic entanglements and the commotion of extra school activities.

In the past, the City had the vision to execute zoning regulations and easement agreements that preserved the neighborhood, encouraged a sense of community and helped to safeguard the standards of living in our neighborhoods. We wish to continue to enjoy living in our neighborhood with these same safeguards in place and the same rights as previously intended. Shouldn't the City insist that any developer entering an existing neighborhood be required to fit into that neighborhood as it is, and not the other way around? What is the pressure on the City to accept this plan? Isn't the City obliged to protect the rights of the residents of Evanston who have lived here for a long time, raised our kids here, as well as paid taxes here? Why is it up to us to identify the flaws in the plan?

The magnitude of the Kensington project and the serious problems that go along with it should be enough to reject it. Since many of us living in our neighborhood did not receive notifications, please make us aware of what needs to be done to halt this development, especially when it is our rights that are being trodden upon.

We very much appreciate that you have taken the time to read our letter. We further appreciate that you are knowledgeable about this project and participate at the meetings. If you have any questions, please feel free to get in touch with us. Thank you.

Sincerely,

Joanne Ghiselli, 2546 Gross Point Road, 847-401-9371

Linda Kelly, 2540 Gross Point Road, 847-492-0816



Melissa Klotz <mklotz@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com>

Sun, Jun 19, 2022 at 9:25 AM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: Land Use Commission Public Comment

Submitted at 06/19/22 10:25 AM

Name: Jason Gocek

Address of Residence: 3507 Central St

Phone: (773) 401-7257

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here:

I vehemently oppose the special use for planned development (Case #22PLND-0012). As proposed this will impact the safety of my children, reduce the value of my property by changing the residential zoned neighborhood into a business campus. I live directly across the street and my children and pets will be in danger given the exponential increase of traffic flow - not to mention the impact of this concrete jungle on the plants and animals of the area. Evanston is supposed to care about people and sustainability. This plan does not. My family will bear the burden of this over-development one of the most. Please do not approve this plan.

Agenda Item (or comment on item not on the agenda):

Case #22PLND-0012

**Position on
Agenda
Item:**

Opposed

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Formstack, [11671 Lantern Road, Suite 300, Fishers, IN 46038](#)



Melissa Klotz <mklotz@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com>

Sun, Jun 19, 2022 at 9:18 AM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: **Land Use Commission Public Comment**

Submitted at 06/19/22 10:18 AM

Name: Amy Hauenstein

Address of Residence: [3507 Central St Evanston IL 60201](#)

Phone: (440) 488-6902

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: While I do not begrudge anyone making profit, yet by code of standards - I prioritize people and planet.
The request for special use for planned development of [3434 Central Street](#) (Case #22PLND-0012) certainly centers profit.

We live directly across the street (on Central) and this development will change our lives. Our two young children are often in our front yard, ride their bikes in the street - as there are no side walks, no bike lanes - and we walk our dog multiple times a day. All of this will create more traffic, changes ecosystems and habitats, and become dangerous (as proposed) for our children and pets in this residential area.

The Crawford/Gross Point/Central intersection is already dangerous. Adding this level of daily traffic will impede the safety of all - those in cars, on foot, and on bikes.

This area is one of the few lower-middle-income residential neighborhoods in north Evanston and we love it here. We have invested in our house and our

neighborhood. This type of development, as planned, will change the neighborhood 1. safety, 2. ecosystem sustainability, and 3. aesthetic dramatically and we do not have the means to move nor do we want to. Please reconsider these requests and scale them appropriate for a neighborhood (along Central St) like ours.

Agenda Item (or comment on item not on the agenda):

Case #22PLND-0012

Position on Agenda Item:

Opposed

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Formstack, [11671 Lantern Road, Suite 300, Fishers, IN 46038](https://www.formstack.com)



Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com>

Tue, Jul 26, 2022 at 2:23 PM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: **Land Use Commission Public Comment**

Submitted at 07/26/22 3:23 PM

Name: Catie Huggins

Address of Residence: 3434 Park Pl

Phone: (314) 856-2552

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: I support the plan for the Kensington school at the site of the Unity Church. I remember the massive headache my husband and I had when we were looking for childcare in 2015. For the sake of future parents, I'm all for creating another option in the neighborhood. Let's trust that the traffic issues will get sorted. And it is possible to avoid that intersection. Alternative routes are available.

Agenda Item (or comment on item not on the agenda): 22PLND-0012

Position on Agenda Item: In Favor

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Formstack, [11671 Lantern Road, Suite 300, Fishers, IN 46038](#)



Melissa Klotz <mklotz@cityofevanston.org>

Fwd: For the City

1 message

Linda Kelly <k-linda@att.net>
To: mklotz@cityofevanston.org

Wed, Jul 27, 2022 at 2:09 PM

Sent from my iPhone

Begin forwarded message:

>

Subject: For the City

To the Land Use and Planning Committee:

I am so happy for all of us that the rezoning was denied.

Thank the lord that the city counsel had the foresight to see how the rezoning could and would completely change our peaceful little corner of the world.

Now, I hope they can fore see how the Kensington School project will not only affect the people who own First Williamsburg Co-ops but the entire surrounding area.

Our quiet little residential neighborhood on Central Street from Gross point Rd going west will never be the same They are trying to cram a huge building and everything that goes with it into an area that is just too small.

And besides that it just doesn't fit into the character of our neighborhood.

Please if everyone in the immediate area protests the construction of this project, Hopefully the city counsel will agree that this is not the right location to build the school or anything of this size and vote the whole project down and out!

Good luck to us all,

Thank you,

Linda Kelly

Sent from my iPhone



Michael Griffith <mgriffith@cityofevanston.org>

Re: Follow up question re: Kensington

1 message

Leslie Brown <lesliebrown@mac.com>

Wed, Apr 26, 2023 at 6:54 PM

To: Michael Griffith <mgriffith@cityofevanston.org>

Cc: Thomas Suffredin <tsuffredin@cityofevanston.org>, Elizabeth Williams <ewilliams@cityofevanston.org>, Peter Roothaan <proothaan@gmail.com>, Mary Drotar <mdrota@yahoo.com>

Dear Michael,

Many thanks for your response. I really appreciate it.

John from IDOT said the application has laid dormant since May, 2022, and he couldn't tell me anything else since it wasn't yet a public document. I hope Mr. Marlas will let us all know the status of that application.

Secondly, and more importantly, there has been no agreement between the Co-Op and Kensington, and it sounds as if there never will be. Peter, copied on this email, can attest to that as President of the Co-Op.

From a legal standpoint, Mr. Marlas can't just will this into happening because he wants it and he presents a proposal. He doesn't have any agreement or support from the Co-Op.

Doesn't this simple fact make this proposal dead in the water? Why are we all going to a meeting when this doesn't have a chance to getting past the legal issue of the easement?

We could all be putting this time towards finding a better solution that the Co-Op and all the neighbors can jump on board with.

Thank you, again, for your kind attention to this, and for answering all my emails. I would've copied a member of the Land Use Committee on this email, but the website said to send communication to Planning and Development staff at the city.

Leslie

On Apr 26, 2023, at 5:02 PM, Michael Griffith <mgriffith@cityofevanston.org> wrote:

Hi Leslie,

The last time the Land Use Commission considered Kensington the Commission continued the case wanting to know that IDOT finds the proposed driveway/curb cut onto Gross Point Road acceptable and for Kensington to continue working on an access easement agreement with the Co-Op.

I have asked Kensington to provide correspondence from IDOT indicating IDOT finds the proposed driveway/curb cut acceptable (right-in/right-out). However, a permit from IDOT is not required at this time. A permit would not normally be issued at this stage in the process but rather at the building permit stage. If Kensington is not able to provide the requested correspondence the Land Use Commission should take that into consideration as they deliberate on the project.

It is my understanding an agreement has not been reached between Kensington and the Co-Op. The Land Use Commission should take that into consideration as they deliberate on the project.

If the Land Use Commission makes a positive recommendation approving the project and if the City Council approves the project as currently proposed, conditions of approval will require a permit from IDOT and an access easement between Kensington and the Co-Op are provided before a building permit can be issued. If those items aren't provided then a building permit cannot be issued.

Respectfully,

Michael Griffith

Planner

Planning & Zoning Division
Community Development Department
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8155 | 847-448-4311

mgriffith@cityofevanston.org | cityofevanston.org



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On Wed, Apr 26, 2023 at 8:52 AM Leslie Brown <lesliebrown@mac.com> wrote:

Dear Michael and Tom,

Just a quick clarification: We in our neighborhood have all been under the impression that Charles Marlas and Kensington School were supposed to get an agreement from the Co-Op regarding the easement, and also approval from IDOT for the driveway on Gross Point Rd. before bringing it back to the Land Use Committee.

He failed to meet either of those requirements according to the members of the Co-Op (who weren't even given the revised proposal in advance as Marlas was supposed to do), and according to Jonathan Karabowicz from IDOT.

Why is it on the agenda?

Thank you,
Leslie Brown
3517 Central St.
847-275-8832



Michael Griffith <mgriffith@cityofevanston.org>

#22PLND-0012 Kensington School

1 message

Mike 1 <mflour6@hotmail.com>

Sun, Apr 23, 2023 at 2:48 PM

To: "mgriffith@cityofevanston.org" <mgriffith@cityofevanston.org>

Hello,

I own the property and live across the street from this property at [3419 central street](#). I do not want this project to be approved as it takes away too much grass and trees and ends up making the area too concrete and less residential. Please take this project to another location. Leave the church alone.

Michael Cholewa



Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com>

Tue, Jun 21, 2022 at 3:41 PM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: Land Use Commission Public Comment

Submitted at 06/21/22 4:41 PM

Name: Brian Mahoney

Address of Residence: Executor of Catherine Mahoney Estate: [2538 Gross Point Road, Evanston 60201](#)

Phone: (630) 732-1945

How would you like to make your public comment?: In-person

Provide Written Comment Here:

Agenda Item (or comment on item not on the agenda): Kensington-Marlas special use application: I respectfully request that my procedural objections be heard first

Position on Agenda Item: Other: There is not a proper application before the Land Use Commission

[Quoted text hidden]



Michael Griffith <mgriffith@cityofevanston.org>

**Fwd: [External] IDOT Reference No. 016-108623: re 3434 Central application: 8/10/22
Land Use Commission Hearing**

1 message

Brian Mahoney <brianmahoneyjd@gmail.com>
To: Melissa Klotz <mklotz@cityofevanston.org>
Cc: Michael Griffith <mgriffith@cityofevanston.org>

Wed, Aug 3, 2022 at 6:08 PM

Melissa,

Please see the attached letter from IDOT regarding this matter.

I ask that you include this in the packet for next week's hearing.

Please call or email with any questions or concerns.

Thank you,
Brian Mahoney

630-732-1945

----- Forwarded message -----

From: **Karabowicz, Jonathan E.** <Jonathan.Karabowicz@illinois.gov>

Date: Thu, Jul 28, 2022 at 6:17 PM

Subject: RE: [External] IDOT Reference No. 016-108623

To: Brian Mahoney <brianmahoneyjd@gmail.com>Cc: Laura Mahoney <laura_a_mahoney@hotmail.com>, Goodman, Matthew <Matthew.Goodman@ilag.gov>, Dunham, Lorraine <Lorraine.Dunham@ilag.gov>, Kannan-Hosadurga, Kalpana <Kalpana.Kannan-Hosadurga@illinois.gov>

Mr. Mahoney:

Thank you for your concern with this proposed development; you are not the first to voice your disapproval of it.

This project is still in preliminary review with IDOT, as we have only reviewed the initial Traffic Impact Study (TIS) and conceptual site plan. Because it is proprietary information and a permit has not been issued for the site, I cannot share any documents with you like the TIS or site plan. The City, however, might be able to share more you. We have not received a revised submittal per our last review letter dated May 27, 2022.

While the Department is not involved with zoning issues in municipalities, we will do our best to mitigate the impact the development has on the surrounding community. Please be assured that the Department's main goals in granting access to a property include the safety of all pedestrian and vehicular traffic affected by a development and the efficient flow of traffic to serve such development and the surrounding area. Any concerns relating to zoning issues such as the type of development allowed should be brought to the City of Evanston.

Cheers,

Jonathan E. Karabowicz, P.E.

Area Permit Engineer

Illinois Department of Transportation

Region 1 / District 1 / Bureau of Traffic

201 West Center Court

Schaumburg, IL 60196

P: (847) 705-4131 D: (847) 705-4149

 Please consider the environment before printing this e-mail.



Michael Griffith <mgriffith@cityofevanston.org>

Re: Non-Compliance by Design and Project Review Committee with Evanston ordinance, rules, regulations, procedures: re Special Use Applications re 3434 Central Street: tomorrow night's hearing

1 message

Brian Mahoney <brianmahoneyjd@gmail.com>

To: Nicholas Cummings <ncummings@cityofevanston.org>, tsuffredin@cityofevanston.org, Michael Griffith <mgriffith@cityofevanston.org>, mmjones@cityofevanston.org, Melissa Klotz <mklotz@cityofevanston.org>, aruggie@cityofevanston.org

I will be submitting public comments and attending the Land Use Commission Meeting tomorrow, but wanted to write today to address:

- 1) The application is still improper due to the failure to identify and have signatures from all easement holders: the City knows about the easements: it's a major part of the potential sale contract
- 2) The Applicant does not have a legal or equitable interest in the subject property: the applicant is a party to an executory contract; at the time the application was submitted and as of today -provided any legal authority that suggests the applicant has the rights and status for a valid application--the fact the part of the form that allows for agents/designees was left blank and "not a party"
- 3) Several of the easement holders did not receive a mailing providing notice of this hearing as required by Evanston Ordinance 6-3-57(c): "Mailed Notices Required: The City will provide notice of public roads, streets, alleys and other public ways whose addresses appear on the current tax assessment list as provided by the City." Did the City attempt to contact them?

I ask that the procedural issues--which moot any substantive discussion--be addressed before any other issues are addressed.

Again, I feel the City is forcing me to resort to litigation in light of this disregard (which appears to possibly be willful) to comply with controlling Evanston law.

Sincerely,
Brian Mahoney

630-732-1945

On Thu, May 12, 2022 at 6:21 PM Brian Mahoney <brianmahoneyjd@gmail.com> wrote:

Mr. Cummings,

Thank you for the reply.

But I'm disappointed you:

- 1) Haven't followed up on your comment:

"You raise a valid point however with respect to the application not being signed by those who hold easements. The Law Department is not a part of the DAPR process, so we will need to investigate this further."

Thank you for agreeing that the point is valid. Did the Law Department in fact investigate the issue? If so, what did that investigation show?

- 2) Haven't cited a single case or statute which would support a view that the Land Use Commission can proceed on an application that clearly does not comply with Evanston ordinances and regulations.

Yet again, I ask that you provide any case or statutory authority that you believe supports the Land Use Commission allowing this application to proceed.

I think it's fair to say most people would interpret your unwillingness to provide any such authority as a sign this is no such authority.

3) you referenced Evanston regulations that allow a property owners to appoint a designee or agent for purposes of pursuing a special use application but (1) failed to respond at all when I asked you to understand or acknowledge that the very existence of this regulation is in conflict with your view developers who don't hold title but are merely a party to an executory real estate contract makes sense for non-owner developers, and it only makes sense because they are not otherwise authorized to pursue special use applications. There'd be no need for a party with a recognized regulation addresses--as did your statement about this feature--the manner in which a developer can pursue a special use application. Had the property owner filed a special use application?

- 4) your refusal to further engage.

At this point I feel forced by the City to seriously consider judicial intervention. I will ask for attorneys' fees, costs, and compensation to the Estate, in large part based on the Law Department's failure to cite a single case or statute to support the City's decision to proceed with this application.

Further, I do not believe the City or its employees enjoy any immunity in this matter. First, this matter would not result in a tort claim by the easement holders so Illinois's Tort Immunity Act would not apply to prosecute this special use application. (See 745 ILCS10/2-104. If the court agrees that the developer is not included within the plain language of the ordinance then goodbye governmental immunity; and 2) elaborated on the broad definition of a "taking" under Illinois law. Any "taking" by the City here will result in litigation, and any employee that acts contrary to the law will be liable.

Alderman Suffredin,

- 1) I called you, I communicated with you via email: will you agree to talk with me?

- 2) I understand you are an attorney: do you have any thoughts on this matter?

Thank you,
Brian Mahoney

630-732-1945

On Mon, May 9, 2022 at 5:02 PM Nicholas Cummings <ncummings@cityofevanston.org> wrote:

Mr. Mahoney,

I've responded to your previous emails to gather the necessary information to advise City staff. I will not engage in a debate via email on a matter that will be decided by the Land Use Commission.

Respectfully,

Nicholas E. Cummings
Corporation Counsel
Law Department
Morton Civic Center

City of Evanston

2100 Ridge Ave | Evanston, IL 60201 | (847) 448 - 8094
ncummings@cityofevanston.org | cityofevanston.org



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On Mon, May 9, 2022 at 4:26 PM Brian Mahoney <brianmahoneyjd@gmail.com> wrote:
Dear Alderperson Suffredin and Mr. Cummings,

May I please get a response to my email? (It's been two weeks.)

Per Mr. Griffith the Land Use Commission may address this at its first meeting in June.

Thank you,
Brian Mahoney

630-732-1945

On Mon, Apr 25, 2022 at 2:07 PM Brian Mahoney <brianmahoneyjd@gmail.com> wrote:

Gentlemen,

Good Afternoon.

I'm writing to follow up on this matter.

First, Mr. Griffith, will the Land Use Commission be addressing this applica
convenience. Thanks.

Second, Mr. Cummings, I wanted to address several issues:

1) Has the Law Department researched the issue of Evanston's regulatio
application?"? The regulation reads: "All persons or parties which [sic] ha
sign the application." As you know, easement rights are a special (admitt
undr Illinois law. Further, the easement rights are indisputably equitable ri
dispute on this issue: the easement holders were not identified and none :

2) With regard to the issue you raised regarding parties' rights to use des
sections in the application form for this project where any designee or age
computer screen it appears someone marked up "does not apply" on the 1
trust you now agree the question of designees or agents is not applicable
believe this issue has potential applicability here.

3) While issue 1) above is dispositive to show non-compliance in the app
issue of a putative equitable right on the part of the developer in the conte
Supreme Court (citing earlier supporting authority) clearly and unequivoca

It is definitely established by decisions of this court that the vendee under property covered by the contract. (*Budelman v. American Ins. Co.* 297 Ill. Ins. Co. v. *Caldwell*, 187 id. 73; *Langlois v. Stewart*, 156 id. 609; *Chappe*, 247 (Ill. Sup. Ct. 1925) *Capps* held that a buyer (vendee) with an executor sufficient to obtain property insurance. More recently, a federal judge re law and precedent to again deny an insurance claim of the buyer to an ex (S.D. Ill. 2007) once again denied the assertion by a buyer to an executor equitable--to be entitled to purchase property insurance. Solely in the co beneficiaries) Illinois has recognized limited property rights, but only as (1962), addressed only a dispute among the contracting parties and bene parties and those claiming through them." *Id.* at 449. The Supreme Cour of the seller and we concern ourselves in this opinion only with that issue among the contracting parties and their beneficiaries. Illinois's limited a the parties, and only to allow equitable remedies such as partition and sp solely contractual in nature and "at law" and therefore can typically only l

Finally, while the seller here is tax exempt, if the seller paid taxes which e between the execution of the contract and the recording of a deed transfe purposes prior to recordation of title transfer. Evanston could not pursu have equitable or legal rights cognizable by the City pursuant to Illinois l; taxes because he doesn't have interests in the property sufficient to creat forth in the zoning ordinance at issue.

Please let me know of any legal authority the City is relying on in this ma

Finally, Alderperson Suffredin, further to the voicemail I left you last wee and my concerns/issues relating thereto.

Thank you,
Brian Mahoney

630-732-1945

On Tue, Apr 19, 2022 at 5:40 PM Brian Mahoney <brianmahoneyjd@gmail.com> wrote:
sorry: it send while still typing

On the Disclosure Statement addressing designees the words "Does not apply" appear to be marked: looking at it on a computer screen PDF it appears someone drew a rectangle
Please check the original and then please let me know if you have a different understanding.

Thanks,
Brian

630-732-1945

On Tue, Apr 19, 2022 at 2:30 PM Nicholas Cummings <ncummings@cityofevanston.org> wrote:
Your logic presumes a conflict between the buyer and purchaser rather than a third party and the purchaser. Nevertheless, do you have anything to suggest that the seller in this

The Property Owner(s) may, at their discretion, designate another person as Applicant to act on their behalf in processing this application. In that case, the designated Applicant

Respectfully,

Nicholas E. Cummings
Corporation Counsel
 Law Department
 Morton Civic Center
 City of Evanston

2100 Ridge Ave | Evanston, IL 60201 | (847) 448 - 8094
ncummings@cityofevanston.org | cityofevanston.org



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On Tue, Apr 19, 2022 at 11:34 AM Brian Mahoney <brianmahoneyjd@gmail.com> wrote:

Mr. Cummings:

Please consider this way of looking at the issue of the nature of the developer's interests in the subject property.

Imagine a dispute arose between the developer and the church and the parties wound up in court.

If the developer asserted it had a claim premised on equity and sought to call upon the court's equitable powers the court would indisputably rebuff that analysis. The court w

Turning to a legal claim, the court would similarly reject any claim by the developer that it has a title interest in the property or that it could properly state a property damage or potential claims the developer could make against the church at this time. The court would view any dispute between the two are governed by the contract--as simply and onl

Respectfully,
 Brian Mahoney

630-732-1945

On Mon, Apr 18, 2022 at 10:01 PM Brian Mahoney <brianmahoneyjd@gmail.com> wrote:

Mr. Cummings,

Thanks again for another quick response: much appreciated.

With respect, your reference to "client's" is not correct: my sister, long-time Evanston resident Kate Mahoney, named me Executor of her estate: I do not have clients: I repre

With respect, contractual rights and equitable rights are quite different. Some jurisdictions divide their courts into those that handle equitable claims and those that handle le contractual claims) used the maxim "never the twain shall meet" to clarify that legal claims (most definitely those stemming from a contract) are absolutely NOT claims soun

Here, the developer has no equitable claim--no adverse possession, no right by consent or use of prescription. The application makes clear he has no title, but is instead a

At this time the applicant's rights are only contractual, and only against the seller. He cannot state any count or cause of action sounding in equity.

I'm not aware of any case, or statute, or any law that deems a party to an executory real estate contract with contingencies to have legally cognizable equitable rights under

If this is no case or other authority then the City is disregarding a clearly worded ordinance without any legal grounds.

It's certainly true that people have interests, but not the interests used in the statute: the precise legal term of "equitable interest" means an interest that can be enforced by Department's overly broad interpretation of "equitable interests"--so clearly at odds with the context and meaning of the ordinance.

Finally, with regard to your "precedent" argument:

- 1) your point assumes the City will prevail, which seems a bit cavalier since I don't believe the Law Department can cite a single case to support its broad definition of what t
- 2) I couldn't care less about precedent. The odds I'll be an executor dealing with a strong easement in the face of behavior like the neighbor-seller, the buyer-developer, and
- 3) the City should be very concerned about precedent. What if there is litigation and we're assigned a judge who believes statutes "mean what they say and say what they and is inclined to make the City follow the law to the letter? What if Evanston supporting a pre-school for wealthy parents doesn't make sense to her in the context of Evans

Thanks,
 Brian

630-732-1945

On Mon, Apr 18, 2022 at 7:04 PM Nicholas Cummings <ncummings@cityofevanston.org> wrote:

I certainly understand your concerns and needs to protect your client's interests and understand you will do what you feel is necessary, including litigation, to protect those

As far as the City's historical and continuing interpretation that contracts for the purchase of real property are an equitable property interest, as you know equitable interes the purchase price to secure the transaction, the buyer has an equitable interest in the property and the seller has an equitable interest in the promised purchase money. will only lead to this principle being reinforced by a court, since equitable interests are only enforced by courts.

Respectfully,

Nicholas E. Cummings
Corporation Counsel

Law Department
Morton Civic Center
City of Evanston

2100 Ridge Ave | Evanston, IL 60201 | (847) 448 - 8094
ncummings@cityofevanston.org | cityofevanston.org



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On Mon, Apr 18, 2022 at 6:37 PM Brian Mahoney <brianmahoneyjd@gmail.com> wrote:

Mr. Cummings,

Thank you very much for the quick response.

I very much appreciate your comments about the easement holders being integral to any special use application as set forth in Evanston's rules.

I also appreciate your commitment to advise the Land Use Commission and City staff with regard to this matter. I read the Ordinance and the rule/regulation/procedure

With regard to your first point, however, I have several questions: First, you agree the City and its employees are bound by the Ordinance and its specific language, right authority you believe supports such a position? Third, doesn't the Law Department's interpretation render the Ordinance a nullity, mere surplusage? As you well know, opining that the ordinance can be ignored because compliance is somehow impossible is it? If so, on what authority? Fifth, the Law Department hasn't/isn't opining the doctrine would justify rendering the ordinance null and void--mere words with no import? Is there any legal authority that would support such a position?

Thank you for your time and consideration of this matter.

I truly and vehemently want to resolve this matter without resort to litigation (for myriad reasons) but as Executor will feel duty bound (due to the extremely deleterious it development.

Further still, in the unfortunate circumstance the Estate feels compelled to sue I will seek an award of attorneys' fees because as I understand it as of now (and I will see contra to the City's interpretation.

Thank you,
Sincerely,
Brian Mahoney

630-732-1945

On Mon, Apr 18, 2022 at 2:12 PM Nicholas Cummings <ncummings@cityofevanston.org> wrote:

Mr. Mahoney,

Thank you for your email. First, the Law Department has always treated contracts for the purchase of real property to be an equitable interest in the property. Develk permits or other variances from the City, the sale becomes useless.

You raise a valid point however with respect to the application not being signed by those who hold easements. The Law Department is not a part of the DAPR proce:

Lastly, your email asks something I don't believe this department has the authority to do--unilaterally invalidate something before a public body of the City. After the L authority to force our client(s) to take a particular action, especially a public body made up of residents appointed by the mayor and affirmed by the City Council.

Respectfully,

Nicholas E. Cummings
Corporation Counsel
Law Department
Morton Civic Center
City of Evanston

2100 Ridge Ave | Evanston, IL 60201 | (847) 448 - 8094
ncummings@cityofevanston.org | cityofevanston.org



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On Sun, Apr 17, 2022 at 4:04 PM Brian Mahoney <brianmahoneyjd@gmail.com> wrote:

Dear Brian and Alexandra,

Further to my discussion Thursday with Brian, I write to reiterate objections I made at the Design and Project Review ("DAPR") hearing on April 12th, to ask for Cor

FACTUAL BACKGROUND

An application for two special use approvals was submitted to DAPR concerning a proposed development of a private, for-profit child care/pre-school facility at 343

The applicant does not own the property at issue. The application specifically states the owner of the property is a church, and the contract for the proposed sale is

When I raised the issue of ownership interests of the subject property at the April 12th hearing the applicant had the opportunity to rebut my stated understanding t

A 12-unit Co-Op Housing complex abuts the subject property. The Co-Op and its shareholders, and each of them, hold recognized, perpetual easement rights. The contract--indeed they are a material term and contingency in the contract for the proposed sale, were brought to the attention of DAPR representative Mr. Griffith, a

At the April 12th hearing I informed the DAPR Committee of (at least) two procedural deficiencies discussed herein and the easement issue more broadly. The Co

APPLICABLE CITY OF EVANSTON ORDINANCE, RULES, REGULATIONS, PROCEDURES

The applicable Evanston Ordinance reads as follows:

6-3-5-4. - INITIATION.

An application for a special use permit may be filed with the Zoning Administrator by the owner or lessee of the subject property or other person having a l

6-3-5-3. - AUTHORITY.

The application form itself incorporates this Ordinance, and further specifies that all persons with property right in the subject property must sign the application:

2. Who can submit an application?

The applicant must either own, lease, or have legal or equitable interest in the subject property, or must be the representative of such a person. /

DISCUSSION

1) The Applicant Was Not Entitled To Submit The Application Because He Did Not and Does Not Have a "Legal or Equitable" Interest in

Ordinance 6-3-5-4 could not be clearer: only persons with a "legal or equitable interest in the subject property" may file an application with regard for proposed sale included in the application--that the applicant did not have a present, extant "legal or equitable interest in the subject property" contractual provisions regarding the easement rights of the Co-Op Shareholders. The application was therefore void *ab initio*.

Further still, at the DAPR Hearing I raised the issue of whether subsequent to the application the applicant acquired title in the subject property. Second, the obvious inference from the applicant's refusal to address this issue is that he does not today (never has, and did not have at the tim

2) The Application Was Deficient On The Additional Grounds That It Did Not Comply With The Requirement That "All Persons" With O

As you both will recall from your law school "Property" class, under Illinois law easements are indeed property rights, albeit circumscribed, that c meets the requirements to be recognized under Illinois law as implied, prescriptive, by necessity, and pursuant to pre-existing use. Further still, t other documents going back far in time. It is beyond peradventure that the Co-Op Shareholders have ownership interests in the property at law e

Pursuant to the Evanston-promulgated "Who can submit an application?" rule/regulation, the application is deficient and void *ab initio* on the add and did not sign the application, which therefore must be rejected

CONCLUSION

I respectfully ask the Office of the Corporation Counsel to rescind the Committee's vote of 4/12/22 on the matter; that the Office of Corporation C rejected.

I strongly and sincerely hope to resolve this matter with the Office of Corporation Counsel. I am loath to seek judicial intervention. But, please n on the value of those shares I will feel duty bound as a fiduciary for the beneficiaries of the Estate to seek a court ordering directing Evanston to

Further still, at the risk of addressing an issue prematurely, I wanted to alert the Office of the Corporation Counsel that any action with regard to t legal redress if any action the City of Evanston diminishes the value of the Estate.

Sincerely,

Brian Mahoney

630-732-1945

As Executor of the Estate of Catherine ("Kate") Mahoney



Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com>

Mon, Jun 20, 2022 at 3:40 PM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: **Land Use Commission Public Comment**

Submitted at 06/20/22 4:40 PM

Name: Laura Mahoney

Address of Residence: Gross Point Road, Evanston

Phone:

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here:
I'm not confident that the special use and re-zoning request has been properly submitted and authorized by all parties with a legal interest in the matter. Further, due to the challenging nature of a rush-hour left turn off Gross Point Road (if, indeed, IDOT allows it), I think it may be highly likely that parents living to the south of the proposed day-care center/school would use Old Orchard Road to Princeton or Greeley, and then to Central, in order to approach the school from the north in order to make their daily drop-offs and pickups. This would add to the rush-hour congestion and potential safety issues already of concern at the intersection of Central and Gross Point roads.

Agenda Item (or comment on item not on the agenda): Planned Development | [3434 Central Street](#) | 22PLND-0012

Position on Opposed

**Agenda
Item:**

[Quoted text hidden]



Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com>

Thu, Aug 4, 2022 at 6:20 PM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: **Land Use Commission Public Comment**

Submitted at 08/04/22 7:20 PM

Name: Laura Mahoney

Address of Residence: [2540 Gross Point Road, Evanston](#)

Phone: (630) 373-9261

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: The proposed Kensington development poses threats to traffic safety & congestion, pedestrian safety & sidewalk access, legal easement rights and neighborhood property values.

The current challenge of the traffic triangle of Gross Point Road, Central Street and Crawford is not only well known to the local residents, but to many Evanston residents in general as confirmed by Commissioner Halik at the June 22 meeting. Local, long-term neighbors have witnessed and/or heard many traffic accidents at that intersection. The proposed development's new driveway off of Gross Point Road, just a few hundred feet south of the above-referenced triangular intersection, will cause traffic back-ups at rush hour in the southbound lane and will make left-turns into that same southbound lane from Wellington Street even more challenging and potentially dangerous than they already are. Pedestrian traffic will be totally disrupted – what are they to do?

The proposed, highly-narrowed to only 15 feet, two-way driveway off of Gross Point Road would not only impinge on the legally deeded easement rights of the First Williamsburg Corporation residents, but much more poignantly will

make navigating that highly narrow two-way passage by Kensington staff, parents, First Williamsburg residents as well as oversized emergency and sanitation vehicles so incredibly challenging as to make it highly dangerous at best, and at times, likely nearly impossible when two vehicles – of any varying sizes – are trying to pass in opposite directions at the same time. Further, the First Williamsburg residents will be expected to learn to navigate in and out of their parking in a much-narrowed (without their legal agreement) easement next to a playground of toddlers – I shudder to think of the risk of potential dangerous and tragic scenarios there.

And, the proposed development will not only diminish the ‘curb appeal’ of the lovely property to its immediate south, but the increased traffic safety and congestion risk will also diminish the value to prospective buyers of the Northpoint property directly across the site on the east side of Gross Point Road and the residential properties on Central Street west of Gross Point Road.

Agenda Item (or comment on item not on the agenda):

22PLND-0012: [3434 Central Street](#)

Position on Agenda Item:

Opposed

[Quoted text hidden]



Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com>

Tue, Jun 14, 2022 at 6:11 PM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: Land Use Commission Public Comment

Submitted at 06/14/22 7:11 PM

Name: Craig McClure

Address of Residence: 2507 Princeton Ave

Phone: (847) 513-2595

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: For the proposed Kensington School at 3434 Central Street (PIN # 10-10-200-073-0000), my partner and I are concerned about the number of site development allowances being requested.

In particular, the following allowances concern us:

Reduction of the transition landscape strip along the south property line from 10' to 6'

Elimination of the required 10 foot transition landscape strip along the west property line

Reduction of the two-way driveway width from 24' to 16'

Agenda Item (or comment on item not on the agenda): 3434 Central Street (PIN # 10-10-200-073-0000)

**Position on
Agenda Item:**

Other: the plan needs fewer site development allowances

[Quoted text hidden]



Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com>

Wed, Aug 10, 2022 at 1:08 PM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: Land Use Commission Public Comment

Submitted at 08/10/22 2:08 PM

Name: Mary Nelson

Address of Residence: Central Street, Evanston

Phone:

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: Evanston is not in need of another daycare center such as the one proposed at 3434 Central. In reading through Kensington's documentation, Kensington fails to acknowledge the dozens of private preschools and at home centers in Northwest Evanston, that already provide these services to our residents. Most of these are privately owned, or are not for profit organizations that are in alignment with the community values of Evanston. Kensington's documentation is written to give the impression that thousands of Evanston children's childcare needs are not being met. This shows how little Kensington knows about our community, and how little they know about all of the available and affordable services already in place for our residents.

It was very clear when Kensington was pursuing the Hurd Avenue property, that this for profit daycare was not keen on providing discounted services for our fellow Evanston neighbors. In looking at Kensington's website, their services average \$20,000 per year, per child. This is grossly unattainable by most Evanston families and the price to attend Kensington does not reflect the values of our community. If you look at Kensington's website, you will see their vast expansion into Lincoln Park, Bucktown and other communities where the company can continue to provide high cost, for profit services that hurt the

current small, private and not for profit childcare organizations in our community.

Mr. Marlas stated in the Hurd Avenue meetings that he has wanted to be in Northwest Evanston for a very long time. He has no ties to this community other than the desire to profit off of it. I think our residents deserve better options than a \$20,000 per year per child childcare museum at the entrance of our community.

Agenda Item (or comment on item not on the agenda):

Planned Development | 3434 Central Street | 22PLND-0012

Position on Agenda Item:

Opposed

[Quoted text hidden]



Michael Griffith <mgriffith@cityofevanston.org>

Re: Kensington School of Evanston Site Plan - 3434 Central Street

1 message

Katie Ashbaugh <kashbaugh@cityofevanston.org>

Wed, Feb 23, 2022 at 2:16 PM

To: Larry Raffel <larryraffel50@gmail.com>

Cc: Bruce Baumberger <bruce.baumberger@outlook.com>, Michael Griffith <mgriffith@cityofevanston.org>

Hi Mr. Raffel,

Thank you very much for your detailed comments. I, unfortunately, am not the reviewing Planner for this project, but I have copied Planner Michael Griffith on this email so that he is aware. You may continue any correspondence with him regarding this particular project. Best,

Katie Ashbaugh, AICP
Planner
Planning & Zoning Division
Community Development Department

On Wed, Feb 23, 2022 at 2:14 PM Larry Raffel <larryraffel50@gmail.com> wrote:

Ms Ashbaugh,

My name is Larry Raffel and I live at [3509 Central Street](#).

I recently received what I assume is the most current Site Plan for Kensington School of [Evanston \(3434 Central Street\)](#). It is dated 10-1-21 however this is not the same plan that was presented to the neighborhood on October 19, 2021.

This plan still does not adequately address a major concern of the neighborhood, traffic on Central Street as well as the safety of the residents. While the major access into the site has been relocated to Gross Point Road and a right turn exit (east) only drive is included on Central Street, this will not alleviate safety issues on Central Street for the following reasons:

1. The parking lot has no designated drop-off/pick-up, and with two-way traffic in every drive aisle, vehicles are always going to move in whatever direction is quickest. Even though the drive on Central Street is exit right only, and is designed as such, vehicles will use it in unintended ways including left turns (in and out). I also believe this drive will become a drop-off/pick-up spot.
2. Without the designated drop-off/pick-up, drivers will quickly learn that the easiest and fastest (and safest for users of the school) way to drop-off and pick-up children is to park or simply stand on Central Street. 'No Parking' signs can help but since there is no enforcement, it won't matter.
3. Central Street between Gross Point Road and Princeton only has a small carriage walk on the north side of the street. This forces adults and children to walk in the street. Any additional traffic on Central Street is a serious hazard.

The plan that I received does not show any existing utilities however, using the location of the existing trees as a reference, it appears that there is an existing street light pole and fire hydrant where the new drive on to Central Street is located.

I recently retired after 35 years as a Landscape Architect and Planner (including a term on the Evanston Plan Commission) and I think that by simply designing the parking lot with a clear and cohesive traffic pattern and designated drop-off/pick-up, some of these serious safety issues can be alleviated.

I look forward to attending the DAPR meeting to speak directly to these issues .

Sincerely,

--

Lawrence Raffel, PLA, ASLA
Landscape Architect / Planner

larryraffel50@gmail.com
847.409.6376

--

Katie Ashbaugh, AICP

Planner

Planning & Zoning Division

Community Development Department

City of Evanston

She, Her, Hers

2100 Ridge Ave | Evanston, IL 60201 | (708) 328-8559

kashbaugh@cityofevanston.org | cityofevanston.org



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Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

noreply@formstack.com <noreply@formstack.com>

Wed, Jun 8, 2022 at 9:46 AM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: **Land Use Commission Public Comment**

Submitted at 06/08/22 10:46 AM

Name: Larry Raffel

Address of Residence: 3509 Central Street

Phone: (847) 409-6376

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: I am unable to attend the Land Use Commission Public Meeting on June 22, 2022 for Planned Development at 3434 Central Street (Kensington School).

However, I want to reiterate the comments I expressed in my email to Michael Griffith on February 23, 2022 as well as my spoken comments at the April 12, 2022 DARP Committee Meeting.

The safety of residents on Central Street continues to be the main concern. The 3' wide carriage walk on the north side of Central Street is mostly unuseable and residents tend to walk with their children and dogs in the street. It was clearly stated at the DARP meeting that we will not be getting new sidewalks so this continues to be a hazard. As the weather has gotten nicer, more and more people are walking in the street.

Futhermore, vehicular traffic at the intersection of Central Street, Gross Point Road and Crawford Street is very dangerous. It also appears that the timing of the lights has changed again making it even more dangerous.

At the DARP meeting, Staff expressed a wait and see attitude regarding these

issues. Hopefully Staff, Commission Members and the City Council will address these issues early on.

Thank you,

Lawrence Raffel, ASLA, PLA

Agenda Item (or comment on item not on the agenda):

3434 Central Street, PIN: 10-10-200-073-0000 Case #22PLND-0012- Planned Development

Position on Agenda Item:

Other: Concerned Neighbor

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Formstack, [11671 Lantern Road, Suite 300, Fishers, IN 46038](https://www.formstack.com)



Michael Griffith <mgriffith@cityofevanston.org>

Kensington school plan

1 message

Patricia Vaughan Tremmel <pattremm@gmail.com>

Tue, Mar 15, 2022 at 12:57 PM

To: mgriffith@cityofevanston.org

Cc: Pat Tremmel <pattremm@gmail.com>

Dear Mr. Griffith,

Please add my email to the email blast the city sends out every Friday before a public planning committee meeting. I'm a longtime resident of Evanston and First Williamsburg, who has spent most of my career working in the city, which I truly love. When I first moved to the city, more than 30 years ago, friends joked that I should do commercials for Evanston.

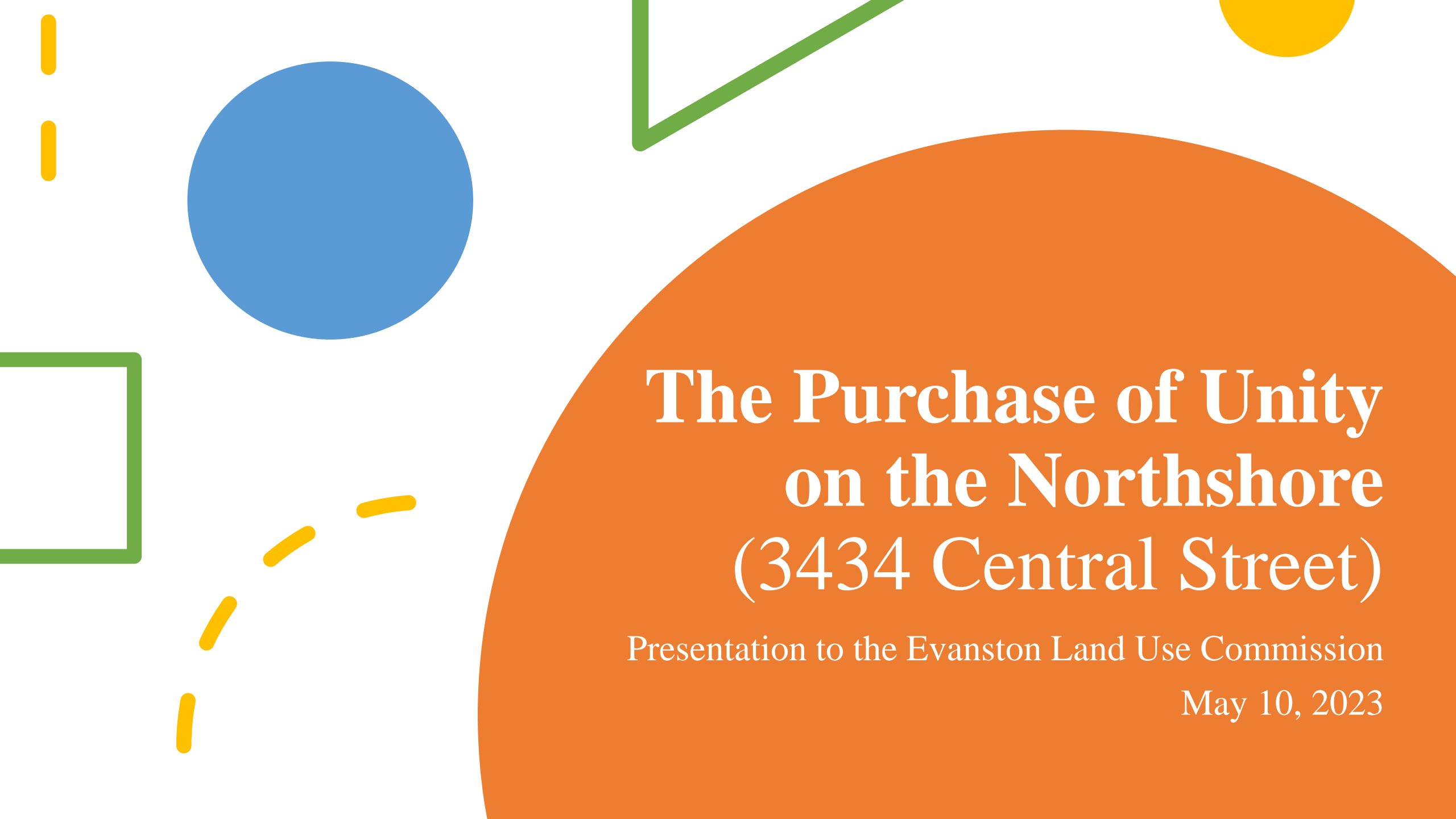
But now I am highly concerned about Kensington's proposed plan to build a new school at Gross Point Road and Central Street. As a resident of the housing complex that shares a parking area with the adjacent Unity Church property on which Kensington is seeking approval to build the school, I'm among the key stakeholders in the outcome of the proposed plan. The changes being proposed are significant and would greatly affect access to my property, for service and emergency vehicles, as well for all residents of our complex. I'm not even sure if the proposed plan would allow enough room for residents to back in and out of parking spaces.

Moving access to the adjoining properties from Central Street to Gross Point Road is of particular concern, related to traffic and safety issues. I write for an hour or two in the morning before a window facing Gross Point Road, and I'm often struck with how the clusters of cars turning on the short curve that leads from Central Street to Gross Point Road often scramble quickly, and way to close for comfort, to change lanes.

The proposed entrance and exits on Gross Point Road that Kensington is proposing are just a little south on that short stretch of Gross Point Road, where all the changing of lanes occurs. It seems to me that entering and exiting the adjoining properties from Gross Point Road would be very troublesome during busy times of the day, particularly during the school's busy drop-off and pick-up times and the city's snow removal times. It is important to consider that a chief reason for all the scrambling of cars after the turn onto Gross Point Road has to do with drivers needing to quickly get into the right lane if they want to turn onto Old Orchard Road, a short distance from I94, and, at this juncture, the gateway to Evanston.

Thus, as discussions and plans progress, I would very much like to be fully informed of everything related to this plan. Perhaps, as a very concerned citizen, I might even want to participate in public meetings on the subject.

Thanks very much for any help you can provide,
Patricia Tremmel



The Purchase of Unity on the Northshore (3434 Central Street)

Presentation to the Evanston Land Use Commission

May 10, 2023



Member of the
Evanston
community,
providing spiritual
guidance since
1955.

For over sixty years, our diverse UNS congregation has called 3434 Central Street "home."

Unity thrives on being in community with one another, soothing our souls, and enjoying life.

Member of Unity Worldwide Ministries, a 100-year-old Christian denomination, with over 1,000 churches around the world

Mission and desire of UNS to remain a contributing member of the Evanston Community for another 60 years and into the future.



Why the sale to Kensington?

Ministry changing with greater virtual attendance and need for new ways to connect with congregation in Evanston and beyond.

Current building needs prohibitively expensive structural repairs and essential updating.

Congregation decided to sell property and building, with specific criteria for potential buyers, including aligned missions.

Months of vetting potential buyers—including developers of dense, multi-unit housing—led to selection of Kensington School.

Kensington will: preserve peaceful neighborhood, enhance property values, act as a “good neighbor” and custodian of the site.

Unity and Kensington invited neighbors’ input to create Site Plan 3, minimizing traffic and improving co-op access.



Kensington Schools

Benefits to Neighborhood

- Attract young families
- Beautify and rejuvenate the site
- Increase home property values
- Bring a positive multi-generational participant to the community
- Support for community civic events through Kensington Foundation
- Alignment of Kensington and Unity missions
- Enable Unity to relocate within Evanston and grow its congregation



Kensington— celebrating 50 years of excellence

Family-owned organization providing infant care, preschool, and kindergarten programs. 16 Chicagoland locations.

Building plan offers attractive design that will enhance the beauty of the neighborhood.

Committed to long-term partnership with neighbors.
Excited to offer excellent education to greater Evanston community.

Philosophy is aligned with values and mission embodied by Unity Church for over 60 years.



Kensington
will benefit the
Hillside
neighborhood
and Evanston

Property Values I.



- Schools rejuvenate communities, attract families who prioritize educational excellence.
- Evanston known for its good schools; home values risen 12% since 2017 and 54% over past 10 years.
- Sales data on our Ward show home prices increased an average of 23.6% since Little Green Tree House School opened in 2017.
- Co-op property values were stagnant for the last 10 years.



Kensington
increases home
prices in
communities
they serve

Property Values II.



Home prices in immediate vicinity to
Kensington Schools:

- Glenview area code 60025. Increased by 22.20%. Surrounding community decreased by 20.50%
- Arlington Heights area code 60004. Increased by 11.6%. Surrounding community increased by 3.4%
- Hinsdale area code 60521. Increased by 23.3%. Surrounding community decreased by 20.5%

Securing Required Evanston Entitlements

Kensington and Unity are working with neighbors, and city and state and traffic officials, to ensure safety and preserve aesthetics of corner lot.

Design of Kensington School's Building

- New footprint smaller and roofline lower than existing church.
- Colonial design complements Williamsburg Co-op. Landscaping further beautifies property.
- Sidewalks extended on Central
- Co-op provided with new exclusive easement onto Central
- Parents ingress off Central and Gross Point
- Egress on Central limited to right turn only. Egress off Gross Point right turn only.
- Kensington traffic only allowed right turns from egresses.

Traffic Patterns

- Proven record of safe operation; focus on safe, smooth ingress/egress protecting pedestrians and children.
- Short hours (five days/week), no regular evening or weekend hours.
- Children arrive and depart at staggered intervals -- facilitates smooth traffic flow.
- Comparable preschools and daycare centers in our area show no adverse impact on traffic flow
- No curb drop-offs, which cause traffic backups at public schools
- Traffic study from Kensington's Elmhurst (Appendix). 1 to 3 vehicles per 10-minutes between hours of 7 and 10 am. Pickup rates comparable



Additional Features and Commitments

- City engineers and state officials determined any increase in traffic can be offset by site design and turn restrictions already in the site plan.
- As per DAPR approval, Mr. Marlas will pay for any necessary traffic lights or timing adjustments.
- New plan includes maintaining/replacing existing sidewalks and new sidewalk on Central extending to west end of property
- During construction, Kensington will provide new and safe access to co-op residents.
- As part of ongoing city-wide improvement, City of Evanston will construct new sidewalks both sides of Central.

SUMMARY

Kensington School will preserve the peaceful nature of the Hillside neighborhood while enhancing the value of nearby properties. The Unity congregation is pleased that Kensington School will continue the legacy of Unity's history as a good neighbor.



APPENDIX

Property Values –Evanston and Kensington Schools locations (Glenview, Arlington Heights, Hinsdale)

Kensington Preschool Traffic Patterns Glenview and Elmhurst

Easement site plan and overlay

EVANSTON PRESCHOOL PROPERTY VALUES

Little Green Tree House

Willard Elementary School

North Minister Presbyterian School

Barberaux School

2819 Harrison St



2815 Harrison St

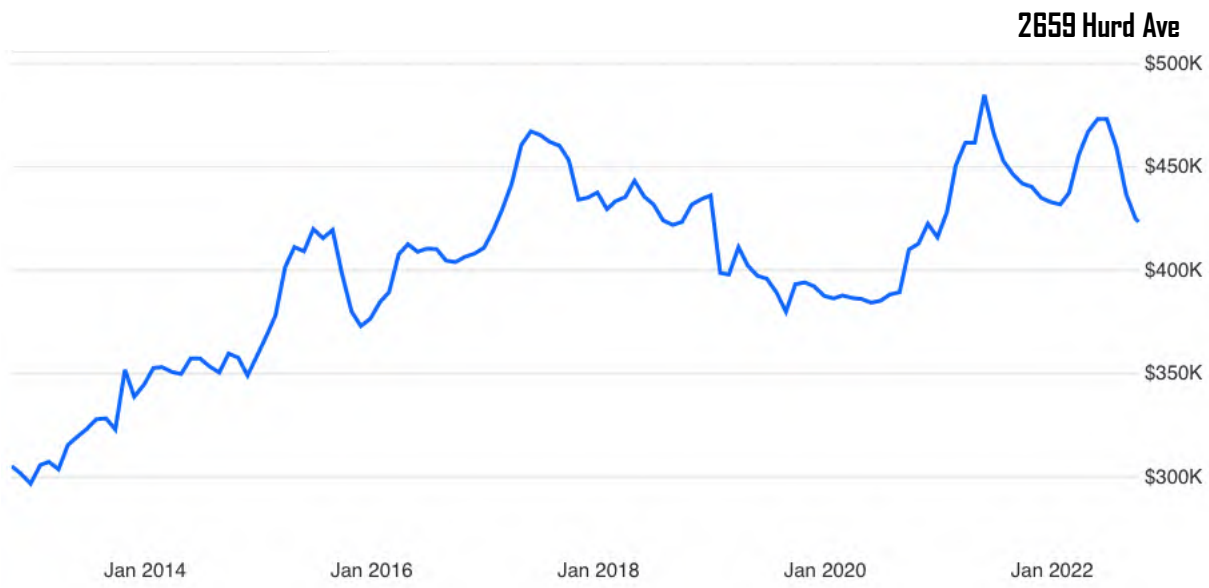


2618 Reese Ave



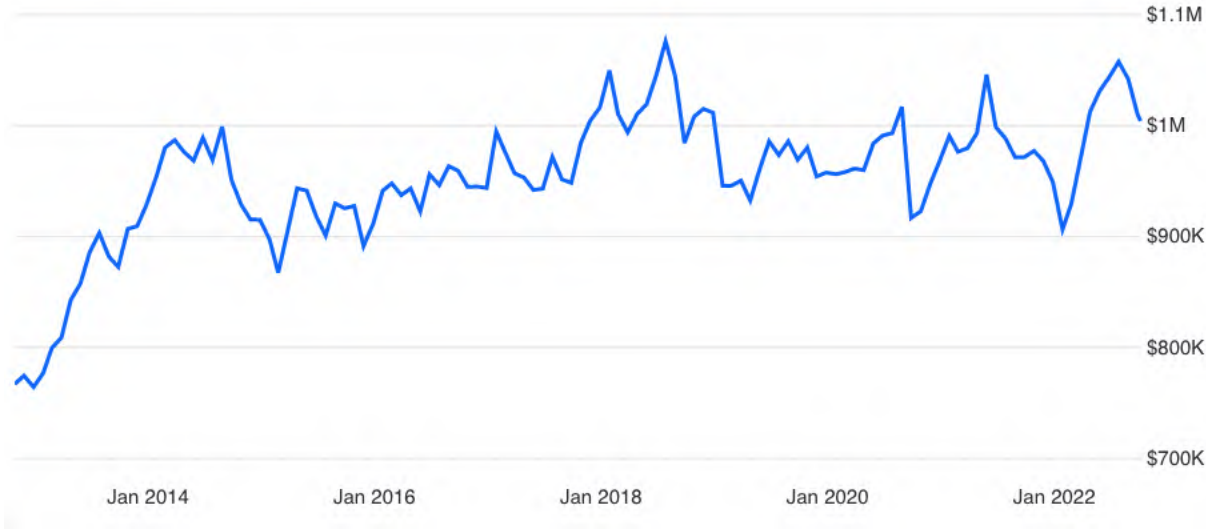
Evanston - Little Green Tree House

Surrounding home values have risen **23.6%** since the school's opening in 2017.

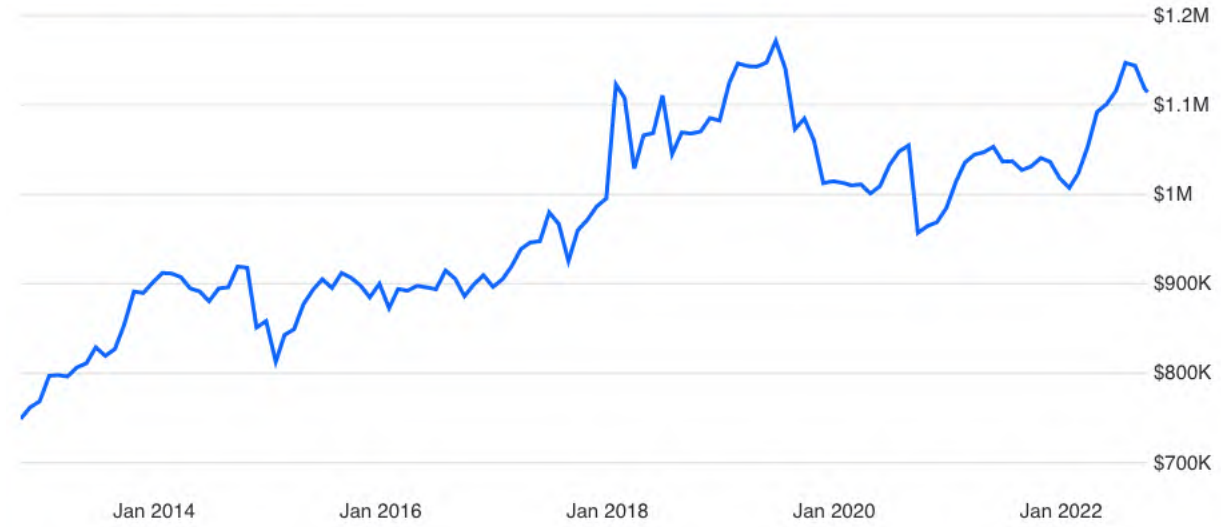


Willard Elementary School
 Surrounding home values have risen **41.7%** since over the past 10 years. The school opened in 1972.

2522 Central Park Ave



2512 Hurd Ave



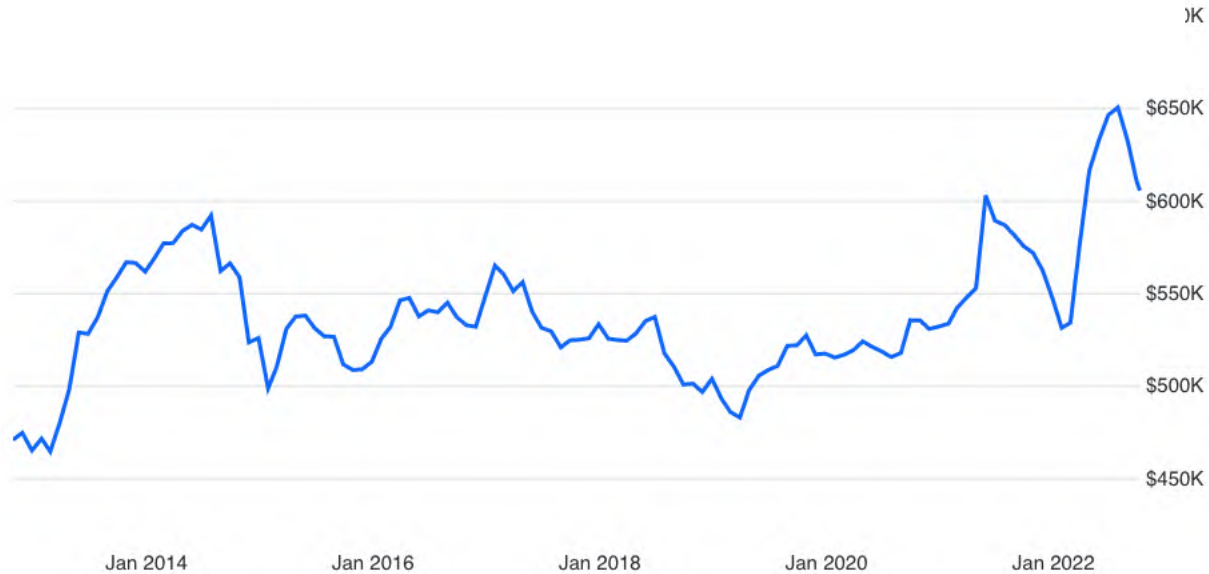
2527 Central Park Ave



North Minister Presbyterian School

Surrounding home values have risen **47.8%** since over the past 10 years. The school opened in 1972.

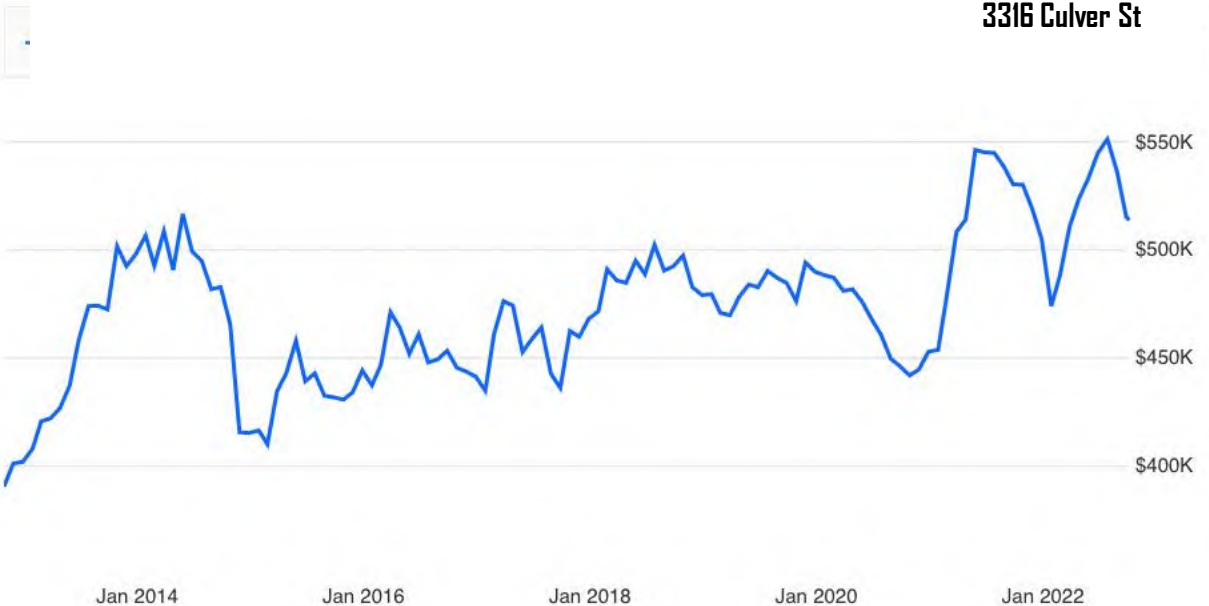
3321 Culver St



3326 Culver St



3316 Culver St



Barberaux School

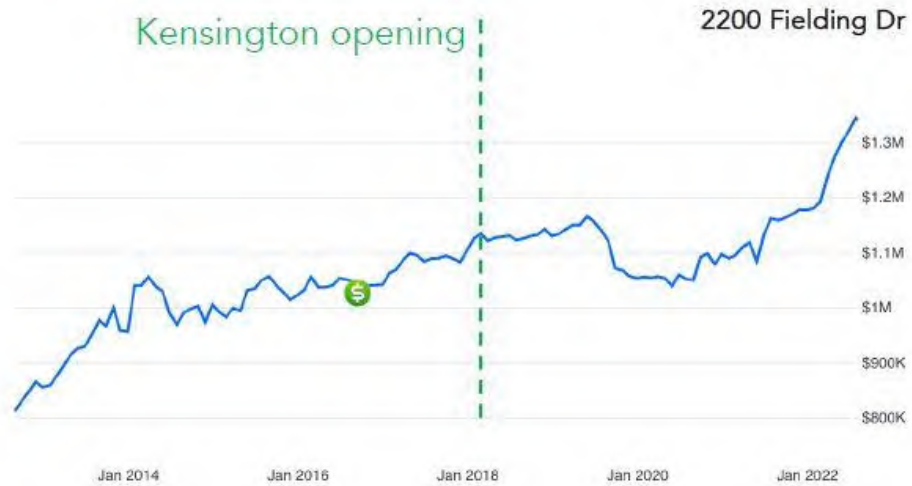
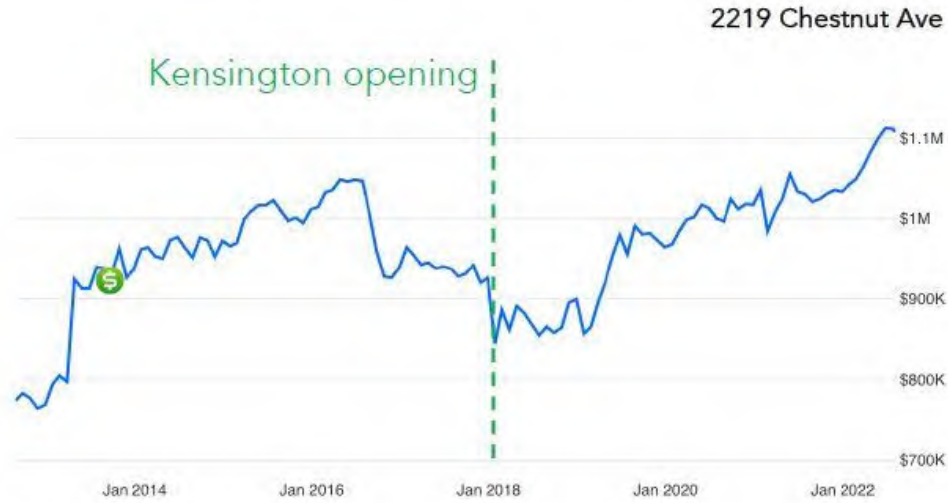
Surrounding home values have risen **52.4%** since over the past 10 years. The school opened in 1958.

CHICAGO LAND KENSINGTON PRESCHOOL PROPERTY VALUES

Glenview

Arlington Heights

Hinsdale



Glenview

Surrounding home values have risen **22.2%** since the school's opening in 2018.

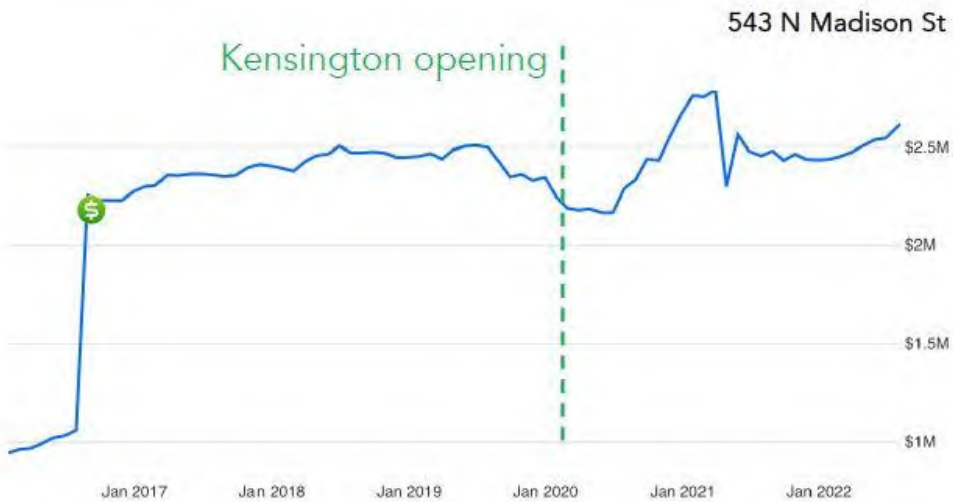
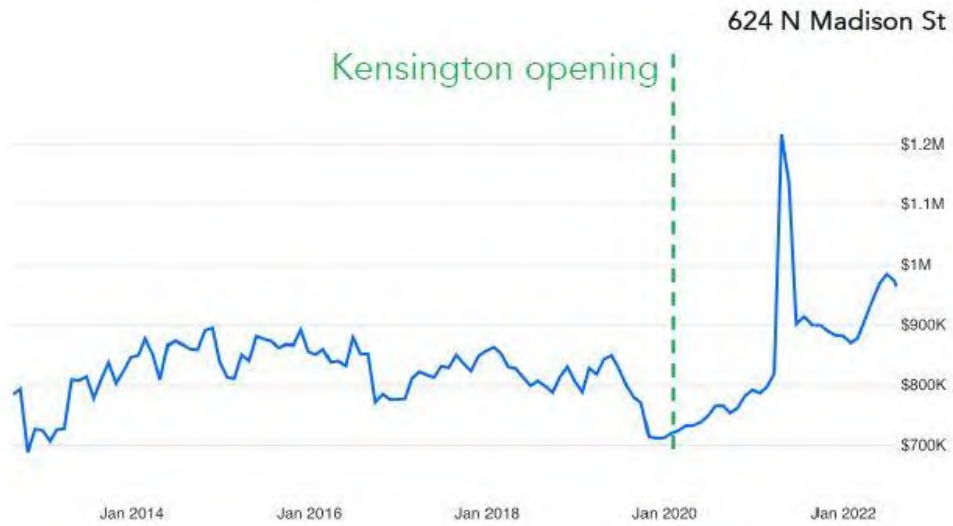
Source: Zillow



Arlington Heights

Surrounding home values have risen **11.6%** since the school's opening in 2019.

Source: Zillow



Hindsale

Surrounding home values have risen **23.3%** since the school's opening in 2020.

Source: Zillow

KENSINGTON

Preschool Traffic

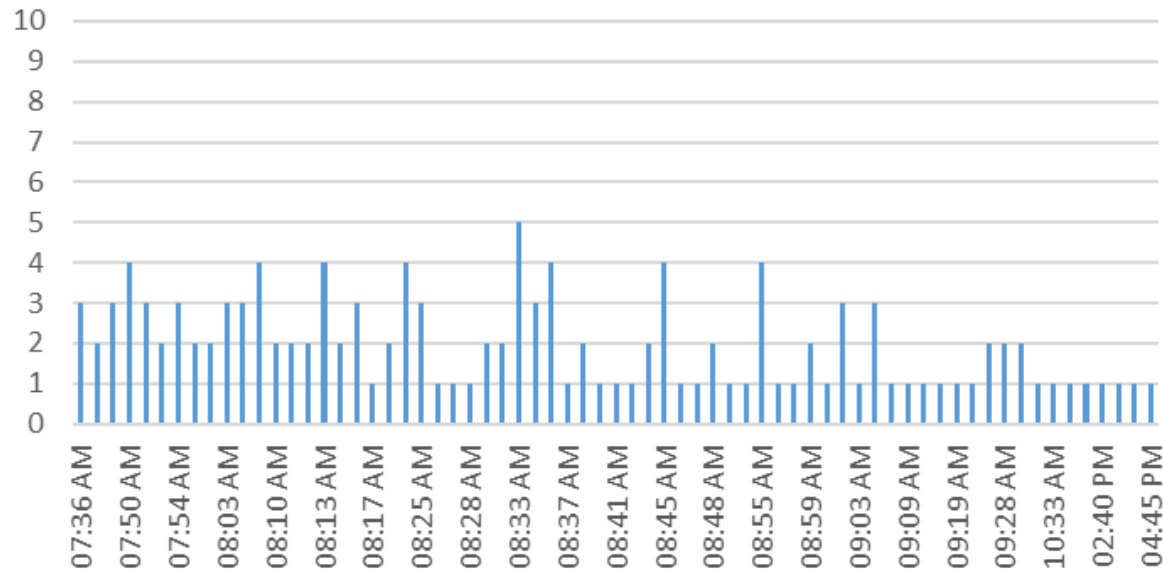
Patterns—child

enrollment approx. 132

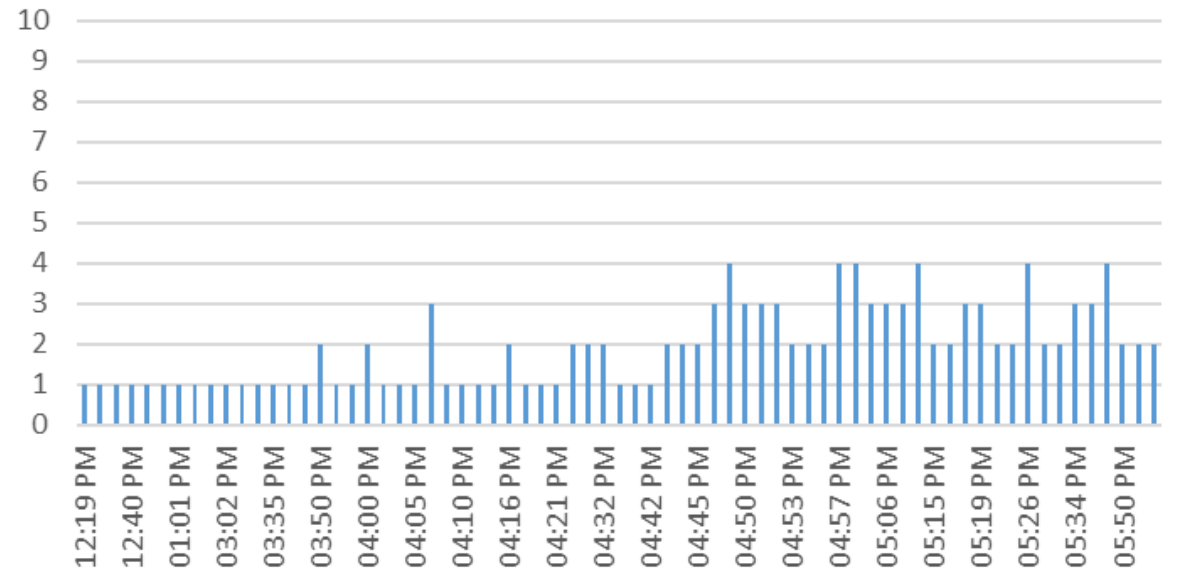
Glenview

Elmhurst

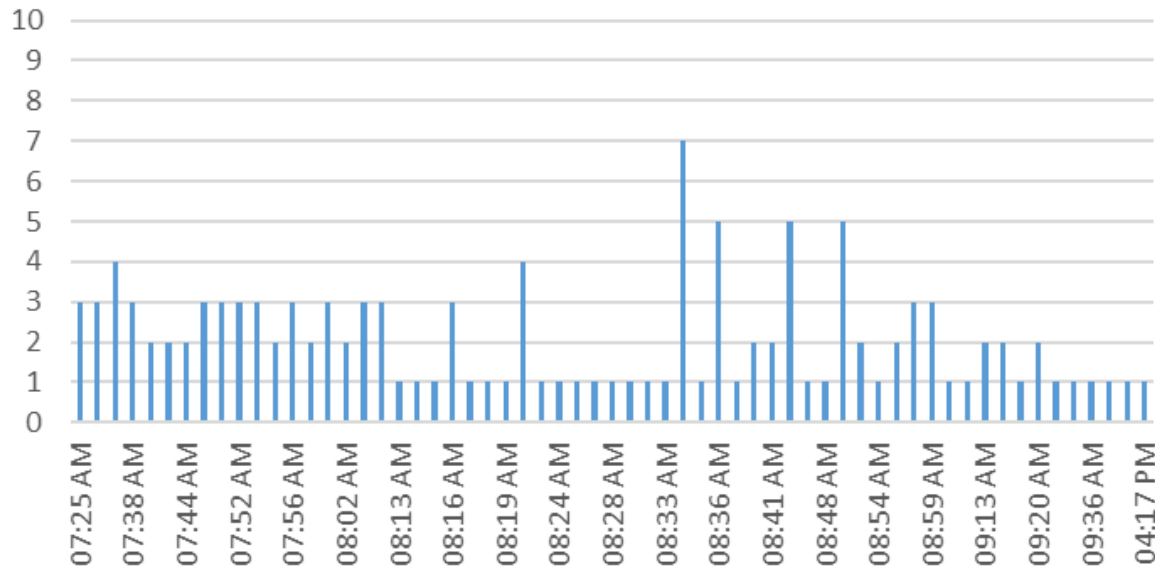
GV | Monday 4/4/22 | Check in
Total: 132



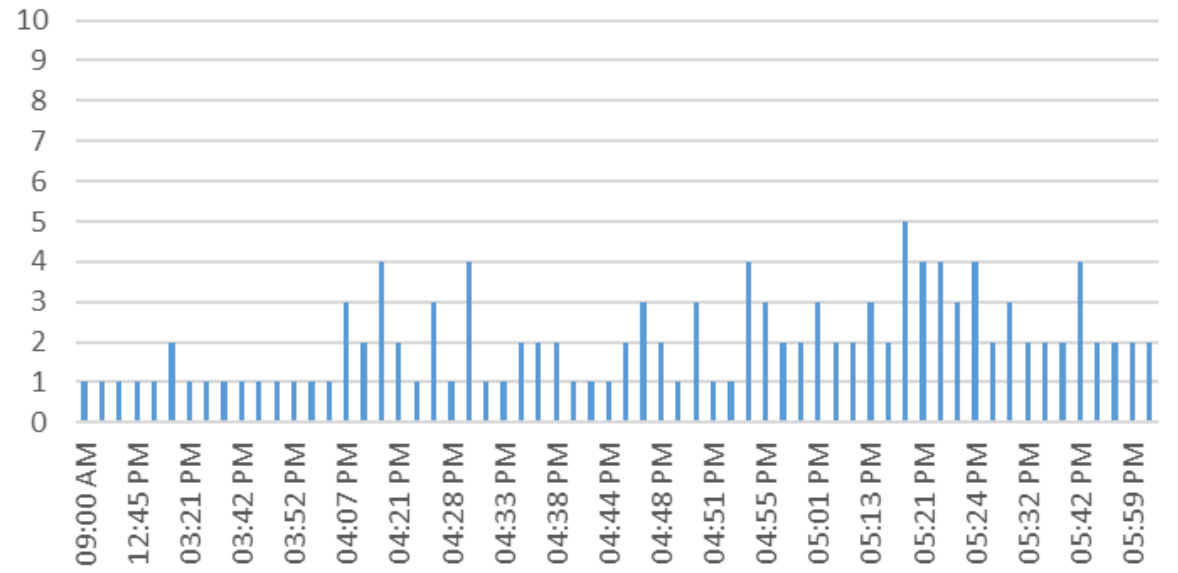
GV | Monday 4/4/22 | Check out
Total: 132



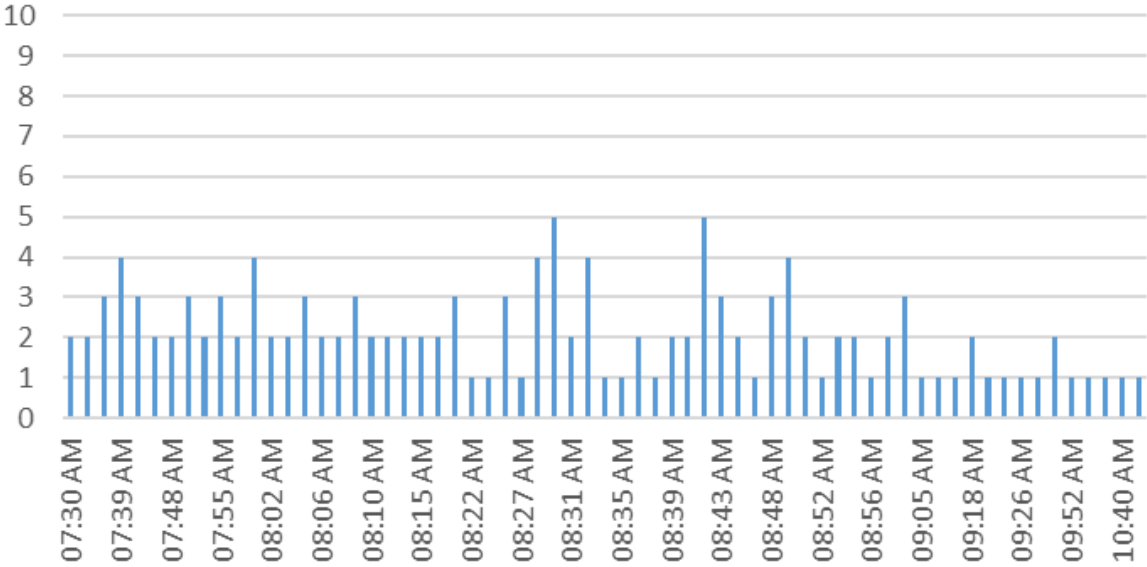
GV | Tuesday 4/5/22 | Check in
Total: 126



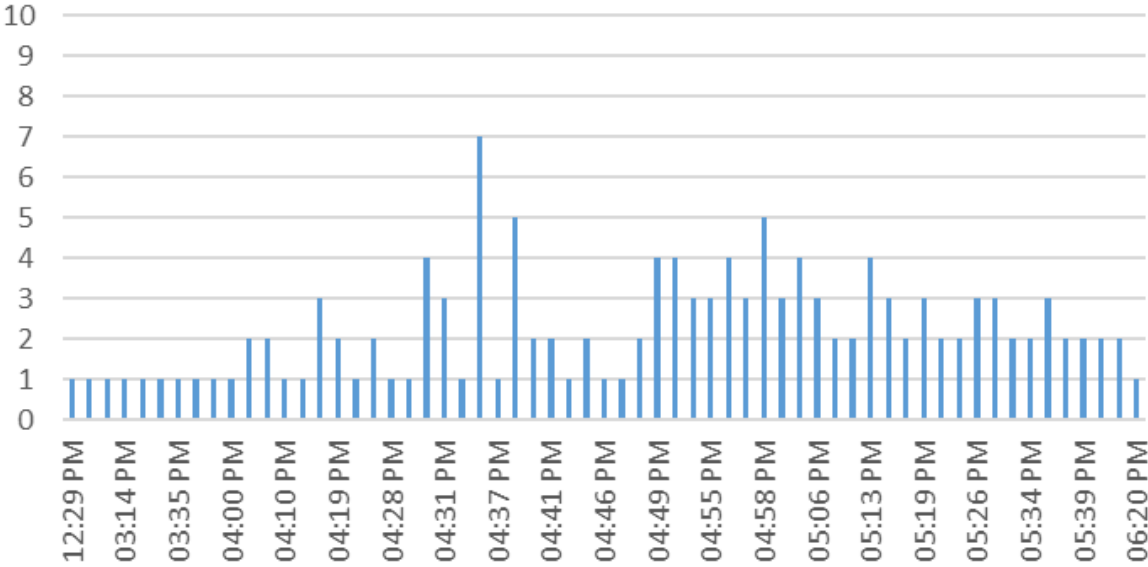
GV | Tuesday 4/5/22 | Check out
Total: 126



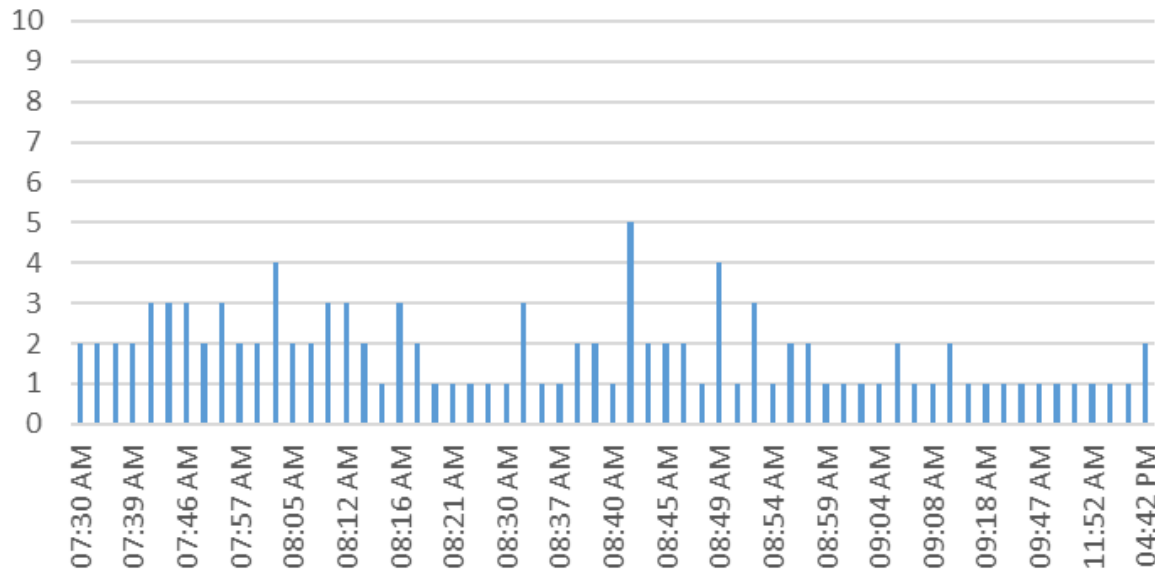
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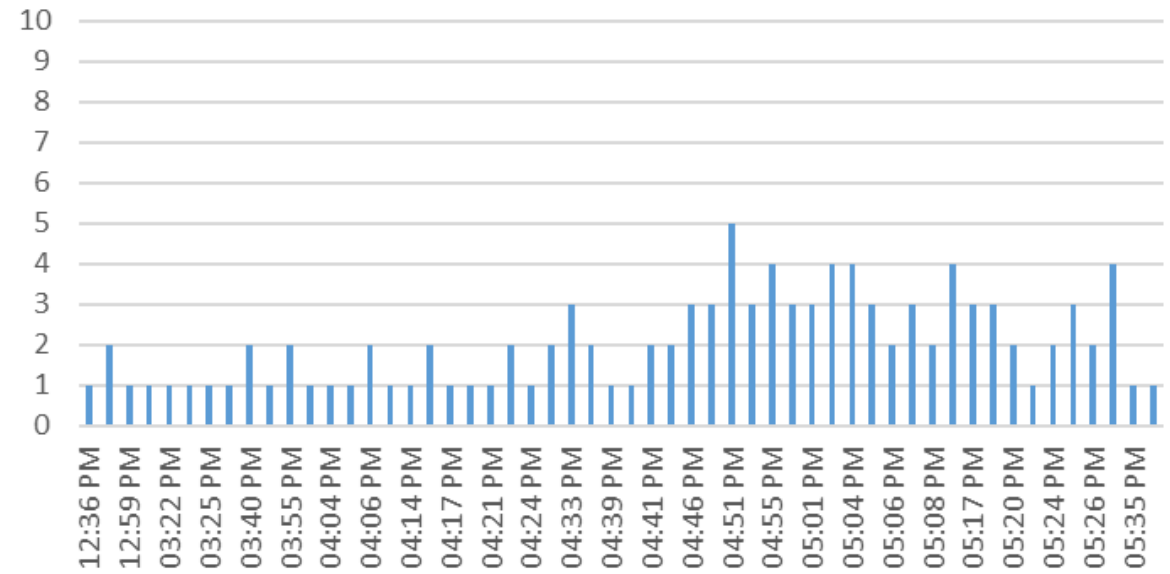
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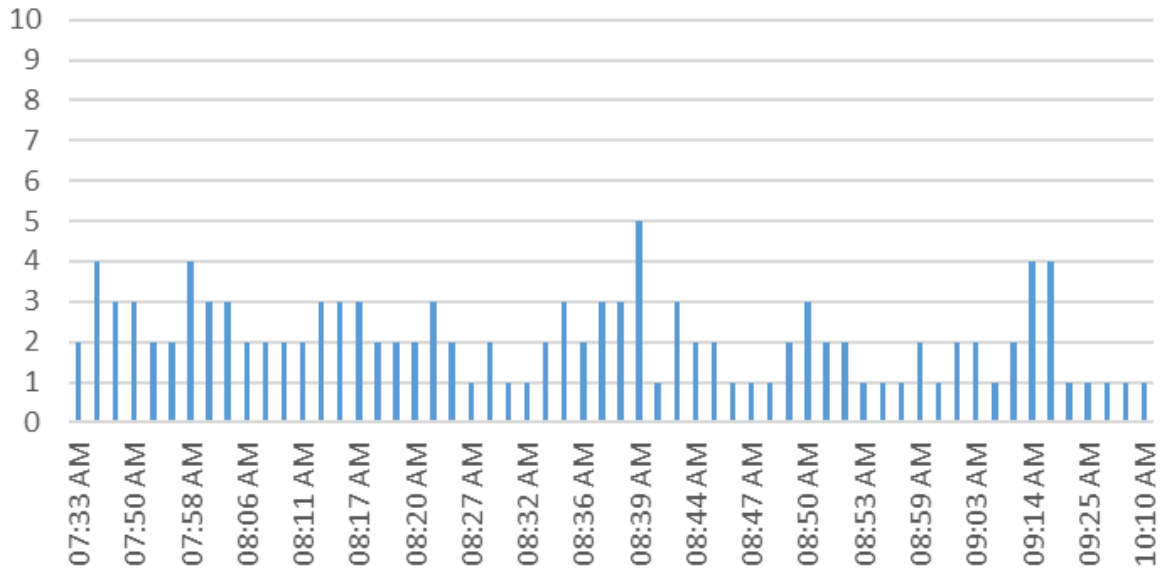
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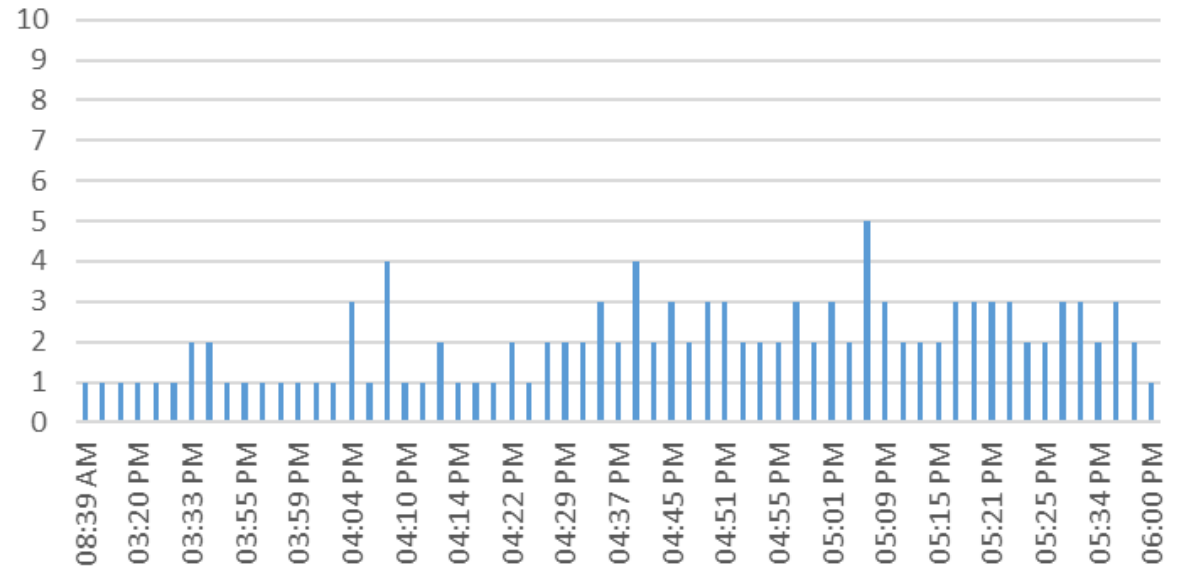
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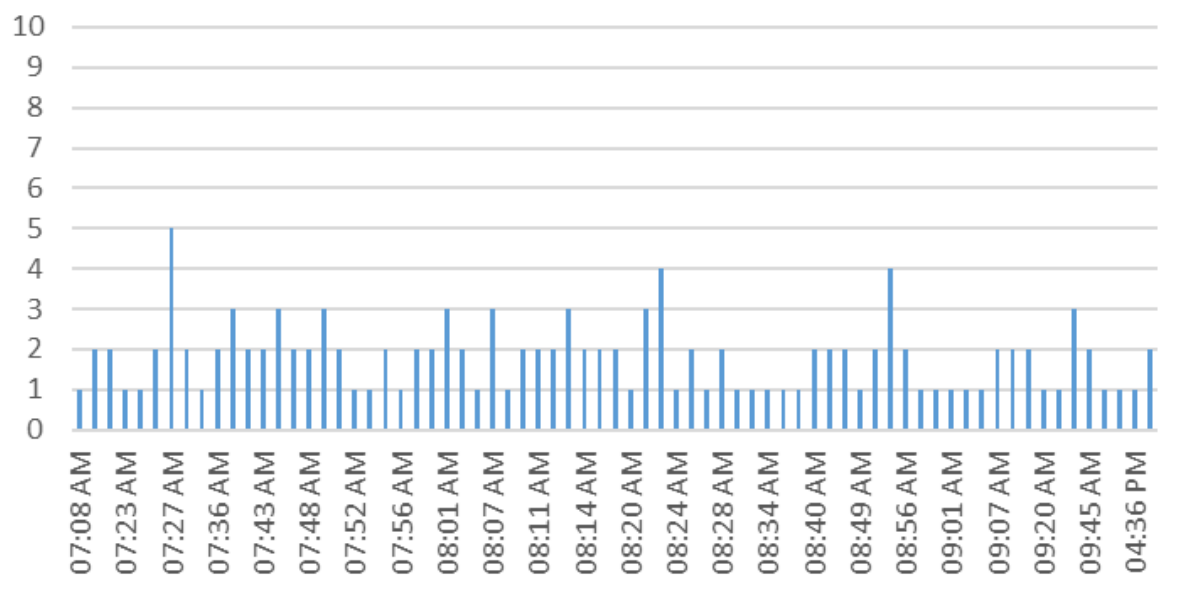
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Total: 123



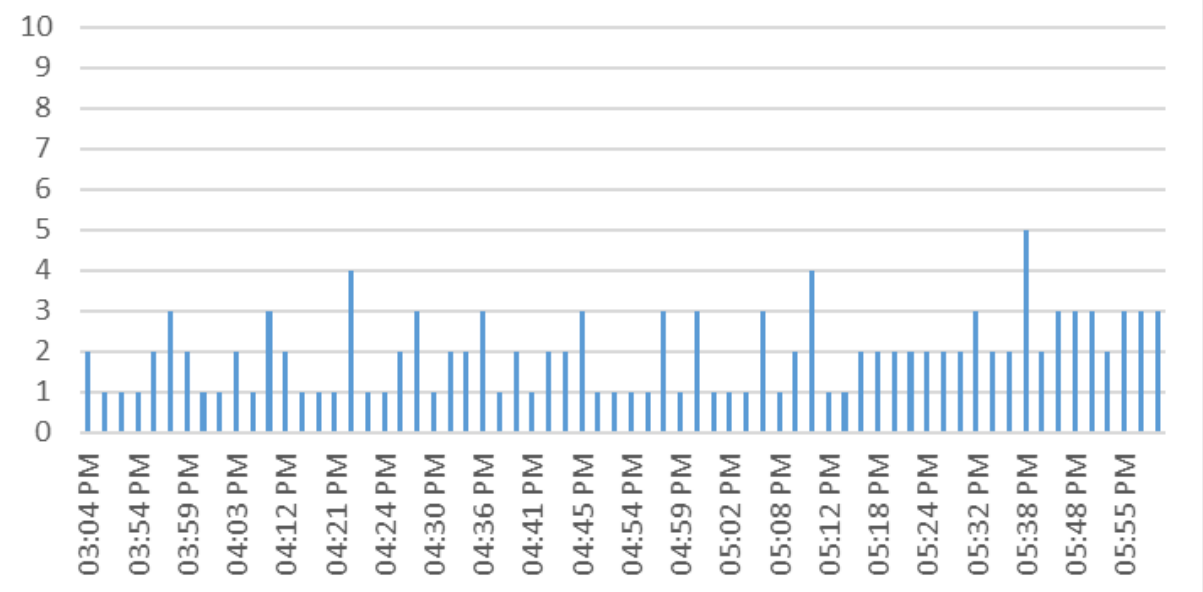
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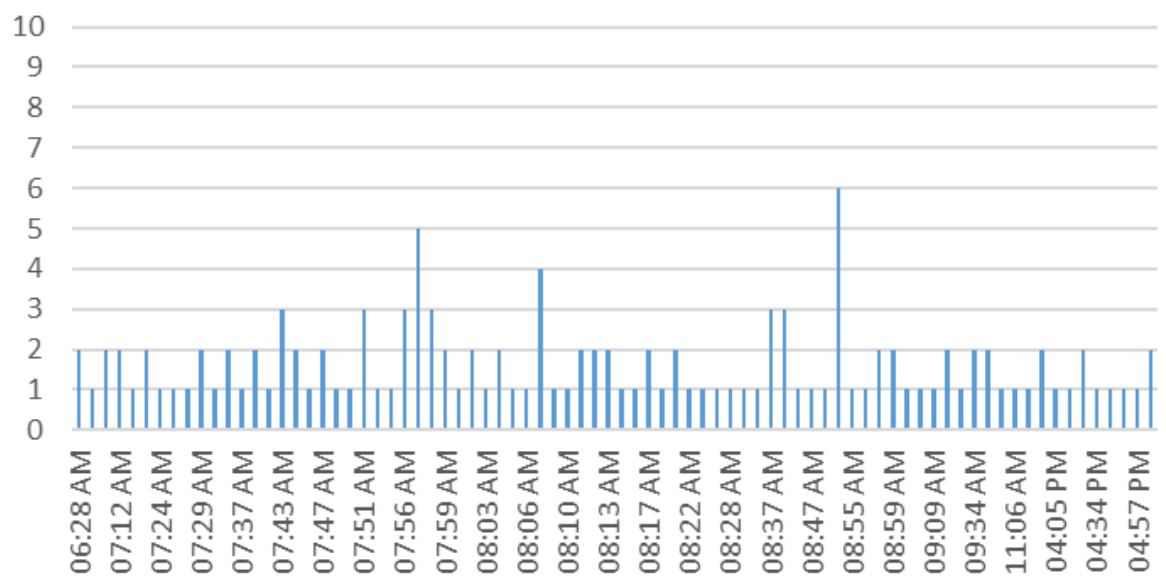
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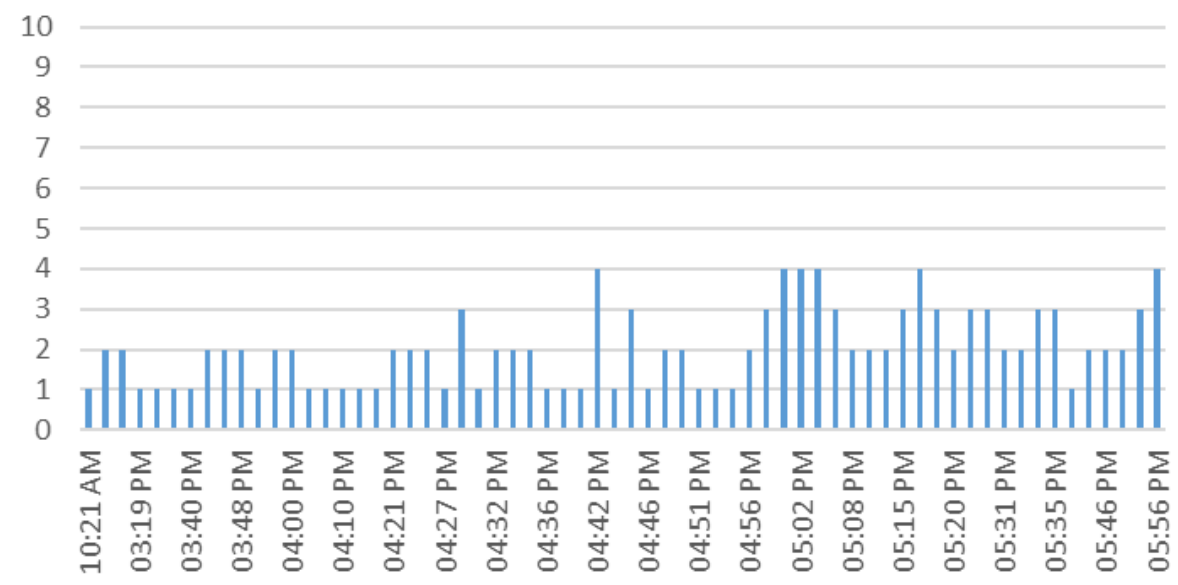
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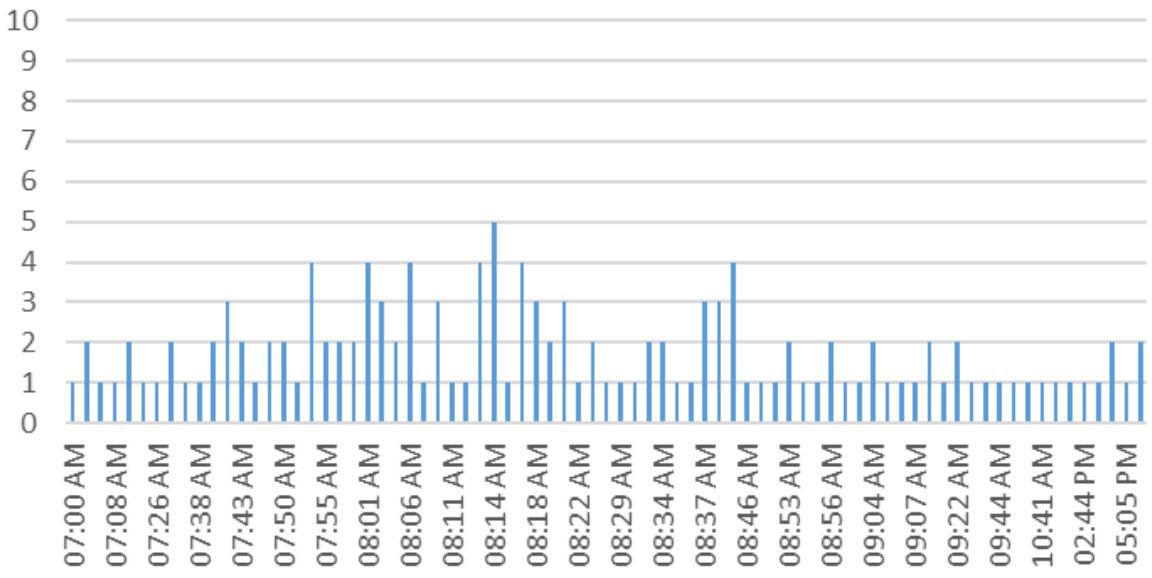
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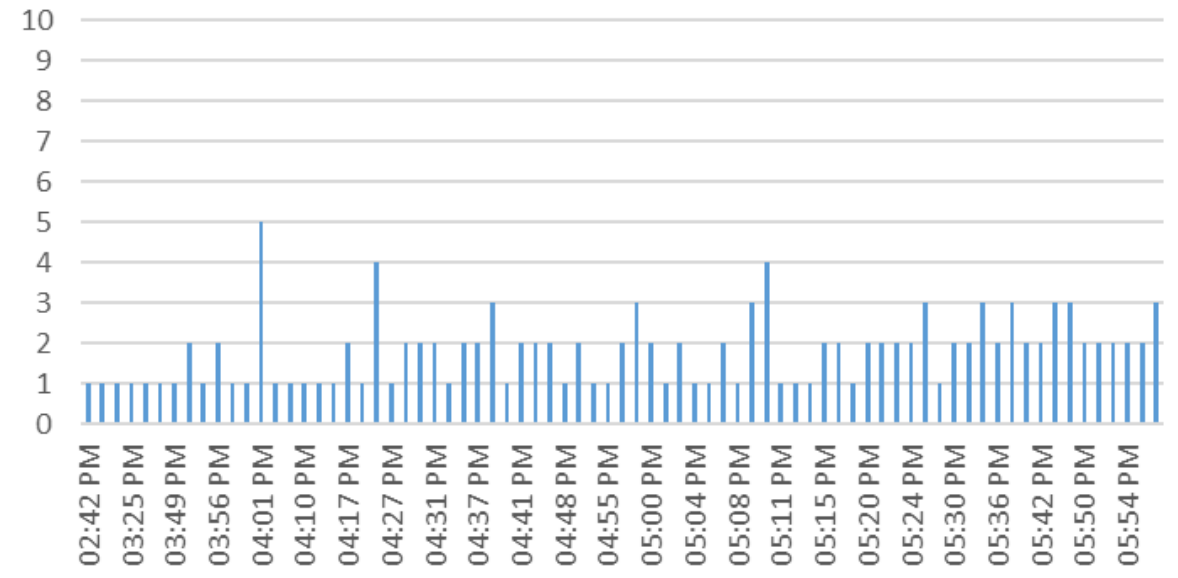
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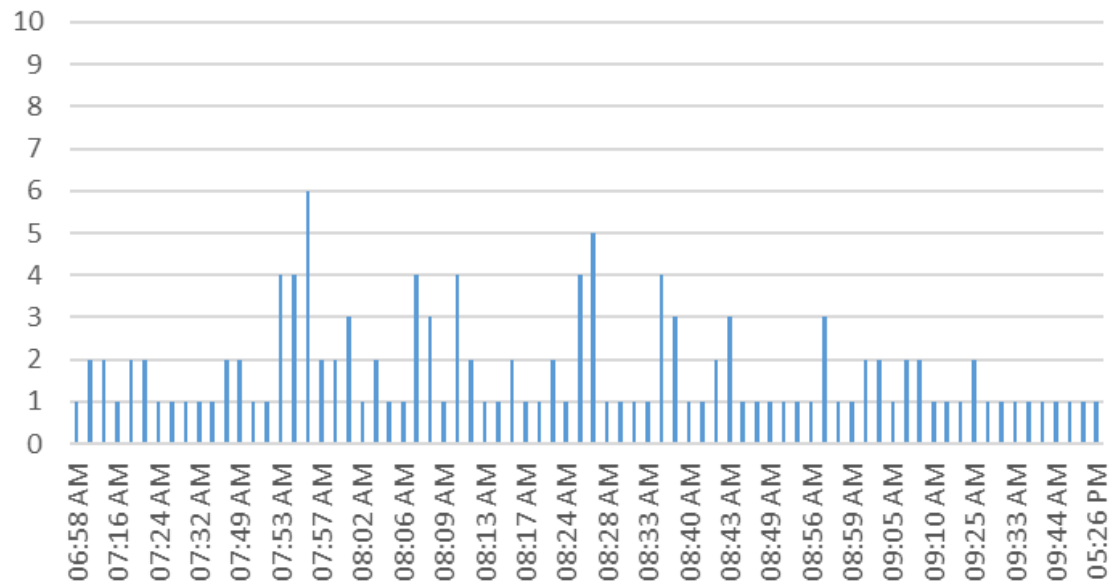
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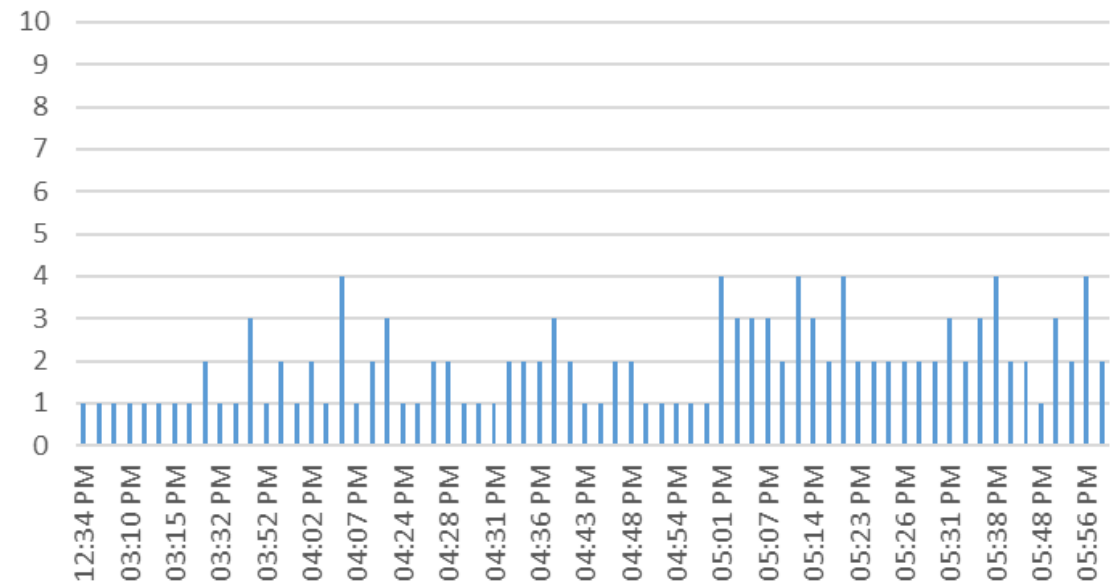
Elmhurst | Wednesday | Check out
Total: 135



Elmhurst | Friday 4/8/22 | Check in
Total: 131



Elmhurst | Friday 4/8/22 | Check out
Total: 131



Easement Site
Plan Overlay-
Site Plan 3
submitted by
Kensington





Meagan Jones <mmjones@cityofevanston.org>

Land Use Commission Public Comment

1 message

noreply@formstack.com <noreply@formstack.com>

Thu, Aug 4, 2022 at 1:17 PM

Reply-To: noreply@formstack.com

To: mmjones@cityofevanston.org, kashbaugh@cityofevanston.org, mklotz@cityofevanston.org



Formstack Submission For: Land Use Commission Public Comment

Submitted at 08/04/22 2:17 PM

Name: Kara Wilkinson

Address of Residence: 3513 Central St

Phone: (732) 996-2388

How would you like to make your public comment?: Written (see below)

Provide Written Comment Here: This in regards to the Kensington Project on the corner of Central St and Gross Point Rd. I am opposed to this project for many reasons. There are, and could be worse, traffic and pedestrian safety concerns at the traffic triangle of Gross Point Road, Central Street and Crawford Avenue. I know there has been an informal traffic study of the area, but I would like to see a new official traffic study, in response to the informal study. I am concerned about the traffic congestion and back-up on Gross Point Road and Wellington this project may cause. The child safety impacts, especially when "playing", of vehicles maneuvering in new, limited space on the Kensington and First Williamsburg properties. I'm worried there will be limited access for emergency and sanitation vehicles in the new greatly reduced 15' easement/driveway. This project will increase daily traffic on Greeley, Princeton and Central going to/from Kensington School, in an already busy area. There is also the question of the property value impacts to First Williamsburg and Central Street residents. I love this neighborhood and how peaceful and community oriented it is. This project will change the neighborhood and will benefit the owner of the project, but not the residents who already live here.

Agenda Item (or comment on item not on the agenda):

Kensington Project

Position on Agenda Item:

Opposed

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