

Name (first and last)	Address of residence	Agenda Item (Title)	Position	How would you like to be heard?	If you are providing a written comment, please leave here:	Are you the designated speaker?	Please name the group of people for whom you are the designated speaker.
Debbie Thiersch	624 Isabella Street	U2 district text	Opposed	In person		Self	
Margaret Forst	1322 Livingston	Change in zoning	Opposed	Written comment	I hope before you, the members of the Land Use Commission, vote, you will think about the written purpose of the commission--to enhance the quality of Evanston's well-established neighborhoods and to preserve their residential character. These goals are unrelated to what some see as a windfall of cash for the city or the excitement some voice for having one of the largest concert venues in Chicagoland. Is it possible that concerts with over 20,000 people six summer evenings with hundreds of shuttle busses to transport those people is going to enhance the quality of my life? Streets designed for neighborhood traffic at a standstill? High decibels of noise when it would be relaxing to sit on the porch on a summer evening? Please do not lose sight of why this commission exists and vote NO for the change in zoning of Ryan Field.		
Robert Sokol	1709 Livingston	proposed rezoning	Opposed	In person		Self	
Debbie Thiersch	624 Isabella Street	NU U2 district.	Opposed	Written comment	<p>Response to NU's rebuttal of Isabella Street traffic gridlock video</p> <p>NU's rebuttal to the video you saw on September 27th, contains errors that need to be corrected. It implied that the traffic gridlock on Isabella was a one-off incident. They said it was not consistent with historical experience on Isabella Street.</p> <p>Here are responses showing those statements are incorrect.</p> <p>--Evanston commissioned a traffic study with WGI that found the exact same gridlock one year prior in 2022 for the Indiana basketball game, with attendees driving down alleys to escape Isabella gridlock. This shows a pattern. NU knew Indiana basketball games resulted in traffic gridlock and yet could not prevent it from happening again in 2023.</p> <p>--NU claimed they changed the configuration of the traffic attendants, and this solved the problem because the subsequent sold-out Penn State game did not have traffic congestion. However, Penn State games do not attract the thousands of attendees who drive that Indiana games do. People are driving from Indiana but not from Pennsylvania.</p>		

				<p>--The WGI study confirmed that not all sold-out games create traffic gridlock, but some opposing teams attract thousands of attendees who drive, like Indiana.</p> <p>--NU's rebuttal included football games that did not result in traffic congestion, and claimed their transportation management plan was the reason. They state concert traffic will be like football game traffic. However, the WGI report found that football traffic often does not result in congestion, unlike basketball traffic, because drivers arrive over a period of hours because of tailgating. Basketball attendees where thousands drive, arrive around the same time. Concertgoers usually arrive shortly before the concert. Concert traffic will be more like basketball traffic than football traffic.</p> <p>--The traffic gridlock that NU stated as a one-off, and the traffic they say is under control because of their traffic plan, are actually, according the WGI study, because football traffic is not concentrated in a small window of time, and basketball traffic is.</p> <p>In conclusion, when there are thousands who drive, even for events of 7,000, NU cannot control the gridlock, as evidenced by the WGI report from 2022 and the Isabella video you saw from 2023.</p>		
Robert M Lauricella	800 Washington	Ryan Stadium R	Undecided	Written cd	give this item more attention	

Debbie Thiersch	624 Isabella Street	U2 District zoning	Opposed	Written comment	<p>NU is requesting permission to pollute.</p> <p>In its application for a zoning amendment, Northwestern is asking the City of Evanston for permission to pollute by exempting it from the city's vehicle idling ordinance, an ordinance every other business and resident must follow. The ordinance covers both public and private properties.</p> <p>NU is asking that diesel semi-trailer trucks and any other vehicles be permitted to idle for unlimited periods of time on private property, which would include NU's property and lots, as well as other designated private properties that NU gets permission to use.</p> <p>NU's athletic campus lots are surrounded by residential neighborhoods in both Evanston and Wilmette. The other designated idling areas could be located in other Evanston wards and also be near residences.</p> <p>If Northwestern's zoning amendment passes:</p> <ul style="list-style-type: none"> --NO vehicles will have to follow the city's vehicle idling ordinance. --Wherever semi-trailer concert trucks and other vehicles idle, they will pollute the air. <p>Diesel emissions are known to cause serious health problems:</p> <ul style="list-style-type: none"> --The National Institutes of Health report that diesel emissions have been found to be carcinogenic. --As reported in The Guardian, The Lancet reports that diesel emissions stunt the growth of children's lungs. --Many municipalities are enacting laws that restrict vehicle idling because of these known health dangers. <p>Despite evidence of health harms from diesel emissions, NU is asking the city of Evanston for permission to pollute our air.</p> <p>My neighbors and I respectfully ask that you not recommend NU's request for a zoning amendment.</p>		
-----------------	---------------------	--------------------	---------	-----------------	--	--	--

References:

Evanston idling ordinance:

https://library.municode.com/il/evanston/codes/code_of_ordinances?nodeId=TIT10MOVETR_CH4STSTPA_10-4-18-1STPAIDMOVE

NU's request to pollute. See 4th page:

<https://www.cityofevanston.org/home/showpublisheddocument/91283/638276316715130000>

NIH report: <https://pubmed.ncbi.nlm.nih.gov/29522191/>

The Lancet document as reported in The Guardian:

<https://www.theguardian.com/environment/2018/nov/14/diesel-pollution-stunts-childrens-lung-growth-london-study-shows>

					<p>KENNETH PROSKIE PUBLIC COMMENT Evanston Land Use Commission Meeting October 11, 2023</p> <p>I am Ken Proskie and live within 1000 feet of the U2 district. I would like to supplement the record to correct two factually misleading statements in Northwestern's additional documents submitted on October 4, 2023.</p> <p>In the September 27 letter to Northwestern, CTA states they may partner to increase service on concert evenings, subject to capacity constraints. When the CTA states this, it does not mean they will add trains. It typically means CTA will add more cars to existing trains. However, I already took this into consideration in the calculations that I submitted earlier (at the September 27 meeting and in written comments from Dana Hoffman on October 2). Specifically, on concert evenings, I assumed that a CTA partnership might be possible, and it would include using the maximum of 6-car trains instead of the usual 4-cars. I also assumed that the CTA could offer rush hour service, or 5 trains per hour instead of the usual 4. Even under this best-case scenario, maximum ridership would be 16-20% of stadium capacity, not 30% as assumed by the applicant.</p> <p>In the October 4 letter to City staff, DLA Piper states that CTA could operate 10-12 trains per hour. Think about this incredible statement. There would need to be at least one train at (or between) every Purple Line station for two consecutive hours before and after every concert. More importantly, industry experts state that when passenger loads are high (as would occur for concerts), capacities are constrained by additional factors such as: extra loading and unloading times; longer waiting times for signal clearance; longer turnaround times at Howard because the Red, Yellow, and Purple lines share the same tracks; more time to clear passenger backlogs on platforms and at turnstiles. Experts state that any one of these bottlenecks can quickly create a ripple of delays, and it is usually not possible nor safe to increase train frequency.</p> <p>In summary, my testimony and comments are based on known facts and real-world constraints. I stand by my earlier testimony regarding public transit estimates, as well as for parking demand and shuttle requirements. City staff knows that developer-funded traffic studies and estimates are always biased. I also question the validity of the information provided by the applicant who has again provided misleading and unrealistic information without justifying their assumptions. Thank you for your attention and consideration.</p>		
Kenneth Proskie	1323 Chancellor	1501 Central S	Opposed	Written co			
Carl Klein		23PLND-0035		In person		Self	
Andrea	Smeeton	Northwestern U	Opposed	In person		Self	
Dr. Malika Viltz-Erne	2806 Sheridan R	2802 and 280 S	Undecided	In person		Self	
Mike Vasilko	2728 Reese Ave	NU TEXT AMM	Opposed	In person		Self	

Anna Von Hoff		Ryan Feild	Opposed	Written cd	<p>Dear City Council members, members of the Land Use Commission, Mayor Biss, and Clerk Mendoza,</p> <p>I am Anna Von Hoff, a twelve year old resident who lives very near to Ryan Field. I have some concerns about the reconstruction of the stadium.</p> <p>First, it will be an ecological disaster. The dust and debris will harm trees and wild life by polluting the air. Where would the excess concrete after the tear down go - the lake? I would hope not - but if they did put it in the lake it would harm the marine life and pollute our drinking water and our beaches.</p> <p>Secondly, concerts create a lot of problems. The stadium is in a residential area where many people of all ages live. There are children who have to wake up early for school whose sleep might get compromised due to loud concerts. This is a problem not only for kids but also for adults who wake up early for jobs, or anyone who is a light sleeper. Evanston Hospital is a level 1 trauma center in this area - if there is a major medical emergency but the ambulances are blocked by stadium traffic there may be very severe consequences to the patients' lives. The people at the hospital need sleep more than anyone, to recover and return to normal health. If they can't sleep because of concerts going into all hours of the night they might not get better very quickly.</p> <p>I hope you consider not going forward with the plan to reconstruct the stadium and rezone the property because of these reasons.</p> <p>Best, Anna Von Hoff</p>		
---------------	--	------------	---------	------------	---	--	--



Meagan Jones <mmjones@cityofevanston.org>

Fwd: Potawatomi Request for Archaeological Oversight and Section 106 Consultation

Cade Sterling <csterling@cityofevanston.org>

Tue, Oct 10, 2023 at 11:42 AM

To: Eleanor Revelle <erevelle@cityofevanston.org>

Cc: Alexandra Ruggie <aruggie@cityofevanston.org>, Luke Stowe <lstowe@cityofevanston.org>, Meagan Jones <mmjones@cityofevanston.org>, Elizabeth Williams <ewilliams@cityofevanston.org>, Daniel Biss <dbiss@cityofevanston.org>

My understanding is that Section 106 Consultation and Review is mandated when a federal or state undertaking has the potential to impact historic resources. This is a form of federal compliance to understand if the undertaking either directly by the federal or state government or in some way supported by the federal or state government creates an adverse impact to historic resources. If adverse impacts are found, it doesn't mean the project cannot continue, rather they must be mitigated either directly or indirectly.

Unless my understanding of this project is flawed, I do not believe they are using any state or federal funding, nor are they accessing federal or state owned land etc. Therefore, the Section 106 review would not be triggered. It isn't something the City initiates, facilitates, or asks for. This is in no way intended to diminish the concerns raised by the Tribe, but in this instance, I would ask them to contact the University directly and find a path forward that addresses these concerns. In any case, it is unlawful to knowingly disturb human skeletal remains under 20 ILCS 3440, and if remains were found during excavation, the university has a lawful responsibility to stop work and make contact with the appropriate agencies which would include the State Historic Preservation Office that has expertise in this area.

In no instance is this property covered under our City's Preservation Ordinance. It is not a Landmark, nor in a local historic district, and the section about land altering activity that was referenced only applies to covered properties applying for a Certificate of Appropriateness. The power and responsibility of the Commission to educate Evanstons citizens on matters including but not limited to archaeological resources, does not welcome the opportunity to intervene in the way that's being requested.

Cade W. Sterling
Planner

City of Evanston
847-448-8231

Note: The contents of this electronic mail to/from any recipient hereto, any attachments hereto, and any associated metadata pertaining to this electronic mail, is subject to disclosure under the Illinois Freedom of Information Act, 5 ILCS 140/1 et. seq. The information contained in this communication is otherwise confidential and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments.

[Quoted text hidden]



image0.jpeg
225K



Meagan Jones <mmjones@cityofevanston.org>

Ryan Field

1 message

glauerbach@icloud.com <glauerbach@icloud.com>

Wed, Oct 11, 2023 at 2:51 PM

To: mmjones@cityofevanston.org

Cc: Most Livable City <info@mostlivablecity.org>, dbiss@cityofevanston.org, Melissa Wynne <mwynne@cityofevanston.org>, tsuffredin@cityofevanston.org

Ms. Jones,

I have just come across Ms. Jahnke Dales October 4 letter to you. Though I believe this letter is a little too late I feel it incumbent on me to respond and hope that this response will find it way into the public record.

In summary, I believe her letter cherry picks some issues and is less than forthright in addressing the concerns. Given the short time available I will try to make my comments brief and to the point.

Proposed text amendment. Adding 60 days of outdoor programming is a significant increase in overall use of the facilities and will cause many of the traffic and noise concerns that have been voiced. In addition, the proposed public facing events are nothing more than an attempt to avoid the limitations currently in the zoning code. And will be more disruptive to the community than presently exists. The language of the proposed change to the zoning code is poorly drafted and will give NU carte blanche to do as it pleases with the help of the special events committee thus the importance of clarity in the zoning language.

Profit. NU has claimed that it needs the profit to maintain the new facilities. Now it has one other rationale. Profit is profit and commercial use is commercial use unrelated to the educational purpose of NU.

CTA/Metra. The letter enclosed from the CTA is noting but an expression of willingness. Its not a commitment. NU needs firm commitments CTA/METRA to be incorporated in a Community Benefits Agreement. Intentions are fine. An actual plan needs to be part of the approval process. Evanston can not merely give NU a balance check.

Traffic/Home values. Noting definitive on this issue. Clearly there is a difference of opinion.

Sound/Health. Again, there is disagreement among experts.

Transportation/operations/waste management. Again to be developed. Evanston needs to know what NU plans and there needs to be concrete commitments. Just saying trust us is not enough.

Hospital. In driving down Central on football Saturday last week its clear that the actions contemplated to ensure access to the hospital are not enough and the fact the hospital is willing to allocate parking for NU is a red herring. That is, its irrelevant.

Economic impact. The letter further confuses the economic issues and should be disregarded.

Parking. Does not account for hundreds of bus trips all day and night and the inconvenience to Evanston residents who use and pay for parking garages. And there continues to be disagreement as to the actual number of attendees who will drive and need a place to park.

Traffic conditions. Clearly there is disagreement as to the congestion that will occur.

Sound mitigation. Not clearly determined. That is, NU does not have a plan to mitigate sound as it strives to overcome the issue.

Sound/performers. There is no away to enforce this condition. The letter's attempt to hold NU responsible is at best laughable. So the neighbors will suffer and who do they call and what will NU do to ameliorate the problem? We have no idea.

Concert set up and take down. Doesn't address the issue but uses an example that has nothing to do with the reality of the location of the facility.

U2 District concerts. Yes the council gave a limited approval for concerts that never occurred. This is hardly a precedent.

Bottom line. NU's plan is incomplete and unsupported and is not ready for prime time. And should be tabled until NU comes up with real answers from impartial and authenticated advisors. Lawyers ae advocates not experts on the facts and its insulting that NU has attempted to leapfrog the process by involving its lawyers in what should be a dispassionate analysis of facts not legal mumbo jumbo

Thanks..

Gary Auerbach
412 Greenwood
Evanston



Meagan Jones <mmjones@cityofevanston.org>

Ryan Field Land Use Meeting

1 message

Malika Viltz <mviltz@gmail.com>

Wed, Oct 11, 2023 at 10:59 AM

To: "mmjones@cityofevanston.org" <mmjones@cityofevanston.org>, "ewilliams@cityofevanston.org"

<ewilliams@cityofevanston.org>

Cc: erevelle@cityofevanston.org

Hello,

It would be lovely if the Project Managers and City would do a better job of separating the two items under consideration, by lumping it in can confuse individuals and make for a biased result.

1. Rebuilding the stadium: Great, all for it, it requires a makeover and more sustainable options are always better on our carbon footprint.
2. Rezoning the stadium to become a for profit music venue – absolutely not.

Rezoning for concerts and events. How does this align to Northwestern University (a private non-tax paying institutions) mission? What is the core driver for this – oh money of course, but at the cost of legal and tax implications, ethical and community impact and risk management.

I'm an ETHS graduate, a Northwestern University graduate and a homeowner a few blocks from the stadium with a high impact on our home life.

Understand some people believe this could bring new jobs, but a part-time job for random events is not truly sustainable, and are you guaranteeing those jobs will go to Evanston residents first?

Even with the meetings, materials and studies thus far, there's not been any clear plan of action and strategy to address concerns of safety, noise, traffic, mitigation plans for the fire stations and hospital, property value decrease, property tax increase. Twice in 2022 during football traffic, it took almost 2 hours for us to get home with small children in the car, but we knew there would be several games per year as we built our home, but to add large events is going to be cumbersome.

I've seen many business owners discuss how this will bring in new business and help them thrive, I'm not sure that's completely accurate. What we'd like to see is both the City and NU putting money into our downtown and helping the failed and failing business. Downtown is ghostly and nothing seems to be sustainable, how about putting a plan in action. Maybe visit Naperville's Riverwalk to gain ideas, heck or even Wilmette.

It's baffling that it's come to this, but we're opposed to "Concerts and other similar events", but not opposed to a new stadium.

While I have more to say on the topic, I'll leave it at this for now.

Cheers,

Dr. Malika Viltz-Emerson

Corner of Isabella, Ridge and Sheridan



Meagan Jones <mmjones@cityofevanston.org>

Rev. Dr. Michael Nabors

1 message

Margaret Tarr <margarettarr1@netzero.net>
To: mmjones@cityofevanston.org

Wed, Oct 11, 2023 at 3:11 PM

To: City of Evanston Land Use Commission

From: Margaret ("Peggy") Tarr

I and others are concerned that Rev. Dr. Michael Nabors, president of the Evanston Branch of the NAACP, has publicly presented support of the NU-Ryan plans as though he is voicing the Evanston NAACP Board's and membership's support of the NU-Ryan plans. I have been told by NAACP members that the NU matter was **never** brought before the NAACP Board or membership for a vote.

It is to be noted that Rev. Dr. Nabors is an adjunct professor at the Garret-Evangelical Theological Seminary, an institution that is affiliated with NU. (See below*)

*(sojo.net)

"Garrett-Evangelical is on the campus of Northwestern University and continues associations with the university. Both institutions were founded by the same Methodist clergy and laity in the mid-nineteenth century. Garrett has been an institution that specializes in preparing pastoral leaders for congregational leadership, and has also been a pioneer in preparing women for ministry and public leadership.^[4]

Partnerships[[edit](#)]

Northwestern University[[edit](#)]

Garrett-Evangelical and Northwestern University have a relationship that is 170 years old. Founders established both institutions to provide an learned clergy for an educated church, and learned citizenry for the rapidly growing and expanding "North West," as the Chicagoland area was then known. Over the decades, the institutions have shared resources, including courses, buildings, faculties, libraries, parking, technology, and in its earliest days a joint Board of Trustees.

Michael C.R. Nabors serves as the senior pastor of the historic Second Baptist Church in Evanston, Ill. He is an adjunct professor at Garrett Evangelical Theological Seminary. He is also the president of the Evanston/North Shore Branch of the NAACP. You can follow him on Twitter @MichaelNabors."



Meagan Jones <mmjones@cityofevanston.org>

comments to be shared with Commission members

1 message

Sue Whiting <maw417@sbcglobal.net>

Mon, Oct 9, 2023 at 10:38 AM

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

Please share the following comments with these LUC members, thank you:

- Myrna Arevalo
- George Halik
- John Hewko
- Brian Johnson
- Jeanne Lindwall
- Kiril Mirintchev
- Max Puchtel
- Matt Rodgers
- Kristine Westerberg

I live at 2719 Eastwood Avenue, since 1957. This is directly across the alley from the stadium west parking lot.

1. I fully support NU's stadium rebuild request. As a season ticket-holder since 1994, I can no longer attend games without accommodations. Three hours on corrugated aluminum benches without arm or back supports is not possible for older folks. The rebuild setbacks seem to be a minor issue.
2. I have listened to ALL of the comments (on City Channel and in your minutes.) The dueling experts on both sides are not convincing. On sound alone, I chose to review the CDC guidelines on noise - which is based on constant exposure and decibel-based. No one has clearly done a comparison with a football game of 3 hours which we have now.
3. Traffic remains a concern, but seems to be manageable. Those who have only been here the last decade or so do not remember full-house stadium crowds. These were routine and no adverse events occurred. Hospital and fire access have not been an issue. Our PD knows their stuff.
4. 'For-profit' also remains an elusive concept. A new stadium should be self-supporting, clearly. And as to be expected of any such request, the asking of more than is absolutely needed does not seem worrisome. The Commission does not routinely request tax records or other verifiable fiscal records of appellants, does it? And college football in the current era could easily be considered a for-profit venture.

For me, the bottom line is the City's need to find additional revenue, and this seems a good opportunity. A near eight percent property tax increase in the proposed budget and water bill increases of 18% are just this week's indicators. I believe my neighbors and I can tolerate some small and infrequent inconvenience in the interest of the entire city's fiscal welfare. The 7th Ward should not be exempt from its need to contribute in some way to the overall health of the community, as we expect others to do.

There really is no way to know or predict effects of music or other events at a new venue, with so many variables. I urge you to support NU's request on both amendments, but with a strong retention of City control which could cancel future events until specific issues are addressed. Put the responsibility on the full Council.

And thank you all for your service to the community, your appropriate inquiries, and saintly patience throughout this. Your clear stance on separating zoning issues from other demands/requests/wishlists has been spot on. Neither party has been completely convincing or professional throughout this process, but you all have.

Sue Whiting

10/9/23, 12:18 PM

CITY OF EVANSTON Mail - comments to be shared with Commission members

2719 Eastwood Avenue
847-373-1555

September 27, 2023 – LUC Public Testimony and Evidence:

Land Use Commission Agenda Item III B. Public Hearing: Zoning Text Amendment – U2 University Athletic Facilities District – 23PLND-0010
1501 Central Street, Evanston, IL 60201

The term Northwestern University Charter is synonymous with the State of Illinois Law, the Act to Incorporate Northwestern University, approved by the Illinois General Assembly on 1.28.1851. Among other restrictions, **the Charter, written by North Western University, established a property use for all Northwestern Property, "...solely for purposes of education..."**

I have submitted evidence and tonight I am providing public testimony, I will leave behind information that I present.

I am speaking tonight **to inform you** about the importance of the Northwestern University Charter, an established State of Illinois Law, as it relates to your deliberations. The Land Use Commission is all about Land USE. That is what you are discussing regarding the Text Amendment Application, Land Use.

Ask university officials why they did not reveal on their text amendment application that their **land use is predetermined by their Charter**. I believe that no mention of the charter was intentional to conceal the established land use to **be solely for purposes of education**.

I refer you back to Chair Rodgers statement. He said *"Northwestern's tax status cannot be changed, because it was decided in a State Charter in 1851. The charter was supported by the U.S. Supreme Court, and the Illinois State Supreme Court. A Lowly Land Use Commission cannot override the highest justices on this."* Chair Rodgers words.

Please understand that the entire charter is supported by Illinois State Courts, not just the Tax-Exempt status passage.

The First Charter Passage:

I agree with Chair Rodgers. You will find the tax-free Charter language quote in the First Amendment to the Act approved **by the 19th General Assembly** on 2.14.1855. This is the first of three distinct passages from the Charter that you need to understand.

The phrase reads, and is highlighted on the boards before you:

The Charter establishes University property as “...**forever free from taxation**...”

University property is “forever free from taxation” because that language and intent was written into the Charter by Northwestern and approved by the Illinois General Assembly in 1855.

The Second Charter Passage is equally supported by the courts:

Northwestern University has asked the City of Evanston to add a property zoning use that will allow “public-facing full-capacity concerts,” **a commercial for-profit non-educational use** for the (U2) district property. This change of use conflicts with Northwestern’s Charter, the Incorporation Documents stipulate “...*the property of said institution (is) solely for purposes of education*...” “ A commercial for-profit non-educational use is not allowed.

September 27, 2023

Michael Vasilko . 2728 Reese Avenue . Evanston . IL . 60201
Email: mike@vasilko.co Cell and Text: 312.217.6980

I am sorry to say, and with all due respect, the Land Use Commission does not have the authority to approve a commercial for-profit non-educational use on any NU property. Why?

1. Because your commission is not the Illinois General Assembly.
2. The Charter language and intent is State Law, *supported by the U.S. Supreme Court, and the Illinois State Supreme Court. A Lowly Land Use Commission cannot override the highest justices on this.*” Only the General Assembly can amend the Charter.

The Third Charter Passage:

And possibly the most important passage from the Charter that should concern Northwestern reads:

*“SECTION IX. Should the corporation at any time act contrary to the provisions of this charter, or fail to comply with the same, upon complaint being made to the circuit Court of Cook County, a scire facias shall issue, and the circuit attorney shall prosecute on behalf of the People of this State for **forfeiture of this charter.**”*

That means forfeiture of the university’s tax-exempt status, too.

Respectfully, the Land Use Commission does not have the authority to change Charter language and intent. The chair appears to understand this. You are legally obligated to reject the Text Amendment.

ALL the Charter language and intent is State Law, NOT just the words Northwestern chooses. The Charter Law as amended, remains in force today.

September 27, 2023

Michael Vasilko . 2728 Reese Avenue . Evanston . IL . 60201
Email: mike@vasilko.co Cell and Text: 312.217.6980

You (LUC members) are all now informed regarding the Charter, its meaning, its language and intent. General Assembly members have been reminded of their sole authority to amend the charter language and intent. The charter is established state law, and therefore it would be unlawful, for the Land Use Commission members to knowingly attempt to change the Charter language and intent. You would knowingly be breaking the law.

I have distributed letters to each member of the Illinois General Assembly, 118 one hundred and eighteen members of the House of Representatives and 59 fifty-nine members of the Senate, a total of 177 letters. The letters have been submitted to the LUC for this hearing. One copy of each of the 177 letters is printed and will be left with the chair. The letters basically remind the Illinois General Assembly of their **sole authority to approve changes to the Charter**. The letters include the status of LUC deliberations and schedule, the tentative City schedule, and copy of the Charter document. This communication has taken place over the last 10 days. I will continue to inform the members of the General Assembly regarding your actions and those of the City of Evanston.

Please understand that the TEXT AMENDMENT IS A STATE OF ILLINOIS GENERAL ASSEMBLY MATTER, NOT A CITY OF EVANSTON AND NOT A LAND USE COMMISSION MATTER.

I would have appreciated the time I was denied, to further describe the charter and Northwestern's insidious effort to **mis-use** this commission to indirectly change the charter, putting your members in legal jeopardy.

September 27, 2023

Michael Vasilko . 2728 Reese Avenue . Evanston . IL . 60201
Email: mike@vasilko.co Cell and Text: 312.217.6980



Meagan Jones <mmjones@cityofevanston.org>

SECOND REQUEST: NORTHWESTERN UNIVERSITY PLANNED DEVELOPMENT AND TEXT AMMENDMENT APPLICATIONS - FORMAL REQUEST FOR A PUBLIC HEARING

1 message

Michael Vasilko <mike@vasilko.co>

Wed, Oct 11, 2023 at 1:47 PM

To: "Revelle, Eleanor" <erevelle@cityofevanston.org>, "ckelly@cityofevanston.org" <ckelly@cityofevanston.org>, Thomas Suffredin <tsuffredin@cityofevanston.org>, "Braithman, Michael" <brraithmanm@wilmette.com>, "plunketts@wilmette.com" <plunketts@wilmette.com>, "Office of State Rep. Gabel" <contact@robyngabel.com>, Shiva Mohsenzadeh <laura@senatorfine.com>

Cc: Luke Stowe <lstowe@cityofevanston.org>, Alexandra Ruggie <aruggie@cityofevanston.org>, Meagan Jones <mmjones@cityofevanston.org>, Daniel Biss <dbiss@cityofevanston.org>

Councilmembers Revelle, Kelly, and Suffredin,

The LUC is meeting tonight, most likely the final LUC meeting regarding NU's Ryan Field Applications.

This is my second request for a public hearing as recommended by Chair Rodgers on 9/27/2023. According to Chair Rodgers, the hearing shall take place, "***before the NU matter goes to the city council.***"

Please reply with the date and time for the hearing.

Thank you,

Mike Vasilko

2728 Reese Avenue

Evanston, IL 60201

6th Ward

Text & Cell: 312-217-6980

From: Michael Vasilko**Sent:** Friday, October 6, 2023 4:37 PM**To:** Revelle, Eleanor <erevelle@cityofevanston.org>; ckelly@cityofevanston.org; Thomas Suffredin <tsuffredin@cityofevanston.org>; Braithman, Michael <brraithmanm@wilmette.com>; plunketts@wilmette.com; Office of State

Rep. Gabel <contact@robbyngabel.com>; Shiva Mohsenzadeh <laura@senatorfine.com>

Cc: Luke Stowe <lstowe@cityofevanston.org>; Alexandra Ruggie <aruggie@cityofevanston.org>; Meagan Jones <mmjones@cityofevanston.org>; Daniel Biss <dbiss@cityofevanston.org>

Subject: NORTHWESTERN UNIVERSITY PLANNED DEVELOPMENT AND TEXT AMMENDMENT APPLICATIONS - FORMAL REQUEST FOR A PUBLIC HEARING

Importance: High

Councilmembers Revelle, Kelly, and Suffredin,

This email correspondence serves as my formal request for a Public Hearing as recommended by LUC Chair Rodgers on 9.27.2023. It is incumbent upon you to schedule this hearing. The hearing is intended to 1) discuss the State Law (Charter) Land Use restriction "solely for purposes of education" in conflict with the Text Amendment application, 2) discuss the possibility of forfeiture of Northwestern's Charter, and 3) discuss Northwestern University's Tax-Exempt status which would be voided should the charter be forfeited.

There have been two Land Use Commission meetings regarding Northwestern University's applications. The first hearing was on September 6th. The second hearing took place on September 27th. Chair Rodgers began each meeting with instructions and outlined what the LUC commissioners would not be discussing.

At the beginning of the first hearing, Rodgers said the LUC would not be considering matters unrelated to Land Use, such as the alleged hazing, assaults, NU-City Committee legal matter, and NU's tax-exempt status. He elaborated that the tax-exempt status was supported by state law and state court rulings. Chair Rodgers said:

"Northwestern's tax status cannot be changed because it was decided in a State Charter in 1851. The charter was supported by the U.S. Supreme Court, and the Illinois State Supreme Court. A Lowly Land Use Commission cannot override the highest justices on this."~ Chair Rodgers words.

Between September 6th and September 20th, I distributed 177 letters to the Illinois General Assembly, one letter to each member. Copies of the correspondence is attached.

At the beginning of the second hearing, Rodgers repeated what he said in the first hearing introduction, but interestingly added that the commission would not be considering Commercial Concerts conflicting with the NU Charter (State Law). This new exclusion was clearly in response to and undermined evidence I had been submitting to the LUC

regarding Land USE, exactly what the Land USE Commission is supposed to consider. The Charter dictates NU's Land (property) Use to be solely for purposes of Education.

Chair Rodgers actions were an intentional "Exclusion of Evidence". I would like to know who in Evanston Government directed Rodgers to exclude LAND USE evidence from LAND USE commissioners.

Evanston's 7th, 1st, and 6th Wards, and the neighboring Wilmette community are most directly impacted by Northwestern University's ambitious applications for a Planned Development to rebuild Ryan Stadium, and Northwestern University's Text Amendment application to allow Commercial For-Profit Entertainment Uses, (uses not permitted by the NU Charter).

LUC Chair Matt Rodgers statement & direction to the attendees at the second LUC meeting "*..who might have concerns..*" regarding his exclusions, concluded his remarks with "*Contact council members for a public hearing **before** the NU matter goes to the city council.*"

Decision-making regarding Northwestern University's Charter (State Law) is a matter ultimately and solely deliberated by the Illinois General Assembly. A local hearing (Rodger's recommendation) is merely a conversation with no legal foundation for decision making. State Senator Fine and State Representative Gabel may want to attend this local hearing.

I look forward to leaning the hearing date and time that must take place before the NU applications are submitted to the City Council.

Meagan Jones, I copied you on this correspondence for the purpose of you passing this information on to the LUC.

Thank you,

Mike Vasilko

2728 Reese Avenue

Evanston, IL 60201

6th Ward

Text & Cell: 312-217-6980

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

From: Michael Vasilko <mike@vasilko.co>

To: Meagan Jones <mmjones@cityofevanston.org>

Cc: David DeCarlo <ddecarlo@mostlivablecity.org>, Mary Rosinski <maryrosinski@gmail.com>, Yvi Russell <yvisivy@sbcglobal.net>

Bcc:

Date: Wed, 20 Sep 2023 21:08:46 +0000

Subject: LUC - NU Text Amendment Agenda Item - Illinois General Assembly Letters

Meagan,

I have attached copies of 177 letters written to the Illinois General Assembly: 59 letters to Illinois State Senators and 118 letters written to 118 Illinois State Representatives.

The distribution encompasses the entire Illinois General Assembly. **I am requesting that these documents be forwarded to the Land Use Commission Members as soon as possible. This information is for the LUC Meeting scheduled on 9-27-2023.** Land Use Commission Agenda Item III B. Public Hearing: Zoning Text Amendment – U2 University Athletic Facilities District – 23PLND-0010 - 1501 Central Street, Evanston, IL 60201

Please contact me with any questions you may have.

Thank you,

Mike

Michael Vasilko

Vasilko Architects

47 West Polk Street






Suite 300

Chicago, IL 60605

Office, Cell, Text: 312-217-6980

Email: mike@vasilko.co

5 attachments

-  **LUC - NU Text Amendment - Illinois General Assembly Senate Members - 59 Letters .pdf**
2231K
-  **LUC - NU Text Amendment - Illinois General Assembly Representative Members - 118 Letters .pdf**
4248K
-  **Secretary of State Certification - Northwestern University Act of Incorporation and Amendments.pdf**
3096K
-  **LUC - NU Text Amendment Agenda Item - Illinois General Assembly Letters.eml**
13108K
-  **Mike Vasilko Testimony and Evidence - LUC-9-27-2023.doc.pdf**
168K