

My name is Michael Fleet, and I live on N. Prospect Ave., south of Belleview, about a block from Stowell and Webster. The group I belong to, Citizens for Balanced Development, opposes the 11-story condo, now condo/ hotel, and other aspects of the Downer Avenue master plan. We have petitions signed by 1,100 area residents in opposition to these projects. We thought, naively perhaps, that we would be included in follow-up discussions concerning them, but we have not been.

As I understand it, today's agenda concerns the Downer avenue project, for which the special status of a General Planned Development (GPD) is being requested for the purpose of waiving zoning restrictions. Other speakers will address specific aspects of the plans; I will focus on three procedural issues: a) the impropriety of a GPD in this case; b) the failure of either city officials or the developer to support this proposal with a serious analysis of the Avenue's commercial decline; and c) the lack of adequate community involvement in its development or modification.

First, the designation of a GPD in this case would be an misuse of that category for the purposes of getting around zoning restrictions, neighborhood conservation requirements, and city neighborhood plans. There are exceptions to every rule, of course, but they should be granted for **mitigating** or **extenuating** circumstances. And there are none in this case, just a developer who wants the city to help him fix up and make profitable use of properties he bought in an open market. My fear, here, is that such "discretionary" use of a GPD designation will become the rule, not an exceptional measure, and will undermine the integrity of the city's zoning code and appeal process.

Secondly, I would argue that Downer Avenue's "decline" in recent years is a complex phenomenon to which multiple factors have contributed, not just parking capacity or residential density. In fact, there have been no reductions in either parking accommodations or residential density in the 30 years I have lived in the neighborhood. But there **have been** changes in the kinds of stores that have prospered, in the business strategies and practices they employed, and, most importantly, in competition from attractive shops and entertainment hubs in other areas of the city. The city should analyze these matters, and invite developers to address them directly. But it hasn't. It has simply have accepted anecdotal explanations of Avenue decline, and jumped at the first offer to pump in new money, even if it includes an oversized parking garage on an undersized lot, high-rent medical offices whose patients will clog the area's streets but not its shops, and an 11-story tower accessible from the Avenue, but in the heart of a traditional residential neighborhood.

The havoc that these developments will reek on the neighborhood is clear; **but** the

benefits that they will generate for Avenue merchants are entirely speculative, since no one has done any serious study or thinking about the Avenue's real problems. This brings me to my third point, which is the back-room process that has produced these proposals. A more appropriate course of action, I believe, would have been to use the Northeast Side Area Plan currently underway. It provides for opinion surveys, real public meetings, and focus-group discussions with area business people, home-owners, and residents, and it is scheduled for completion by the spring of next year. But for some reason our Alderman chose to circumvent this almost ideal planning vehicle. He turned instead to a private developer, urged him generate a plan, and opted for a series of public "presentations" that he and the developer controlled, and at which the public was only permitted to ask questions and/or voice their concerns briefly.

The last of these publicity, but not really public, events was held in mid-December, at St. Mark's church. The lead architect spoke first, for roughly an hour, and then three of us opposed to the project spoke for five minutes apiece. Our remarks were enthusiastically received by the roughly 300 people present, and their doubts about the project were clear to everyone there. But there was no follow-up, no subsequent discussions, no invitation to sit down with other interested parties to work out a settlement that might satisfy all parties. **Nothing.** Just an email from our Alderman a month later (Jan. 21<sup>st</sup>), to which sketches of a "revised "master plan" were attached (it still has an 11-story tower) along with the message that there would be no additional meetings before this hearing.

We think that the master plan is a bad plan and that the process used to produce it is a bad way to make public policy. We believe that approving the designation of a GPD for this project will undermine the integrity of zoning code and appeal process, and will come back to haunt city officials politically. Thank you.